The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

This document contains handwritten text that may be partially illegible due to age, penmanship, or deterioration of the medium. LLMC has scanned the material in the same format and page order in which it is maintained in the source document taken from the collection "Records of the States of the United States of America, a microfilm compilation."

General Assembly of the Territory of Arkansas, began and held at the capital, in Little Rock, in the County of Pulaski, on Monday, the seventh of October, in the year of our Lord one thousand eight hundred and thirty-three, On which day, it being the day appointed by law for the meeting of the General Assembly, the following members of the House of Representatives appeared, and were called to order by George S Hudspeth, a representative from the County of Lawrence, and thereupon respectively produced certificates of their Elections, duly elected, & were severally qualified according to law, and took their seats, to wit:—

From the County of Lawrence, George S. Hudspeth and John B Hammond.

From the County of Independence, Peyton Tucker and Morgan Magness.

From the County of Izard, Frederick Tolbert and Hugh Jennings.

From the County of Washington, John B Dixon, John Regan, John Alexander, and James Byrnsides.—

From the County of Crawford, William Wilson and Bennett H Martin.

From the County of Pope, Wesley Garrett.—

From the County of Conway, Lepsd B Roberts.—

From the County of Pulaski, Samuel Rutherford & Richard B Byrd.

From the Counties of St Francis, Jackson and Monroe, John B Saylor and John Hill.

From Phillips County, Millinder Hanks

From Arkansas County, Amorel Stillwell.

From the Counties of Chicot and Union, Thomas L Thurmond.

From the County of Jefferson, Ignace Bogy.

From the County of Clark, John Wilson.

From the County Hempstead, William Shaw and Merritt Bush.

From the county of Lafayette and Miller,
Jacob Buzzard.

From the counties of Sevier and Hot Spring,
John Clark.

Which being a quorum of all the members elected to the House of Representatives, Mr George S. Hudspeth was called to the chair, and the House proceeded to the election of Speaker; and, upon the examination of the ballots, it appeared that John Wilson had fourteen votes, Bennet H Martin had nine votes, and two scattering. Whereupon John Wilson, from the county of Clark, having a majority of the whole number of votes given, was declared duly elected Speaker of the house of Representatives.

The House then proceeded to the election of a clerk; and, on the examination of the votes, there appeared for James Yeatts seventeen votes, Daniel A Williams, nine votes. Whereupon James Yeatts, having a majority of the whole number of votes given, was declared duly elected Clerk of the House of Representatives, and was qualified according to law, and proceeded to the discharge of his duties.

The House then proceeded to the election of Door Keeper, and, on an examination of the votes, James Coulter had sixteen votes, and Ezra Dewey had ten votes. Whereupon James Coulter was declared duly elected Door-Keeper for the House of Representatives; and, being qualified according to law, proceeded to the discharge of his duties.

Mr Martin moved, That a committee be appointed to wait on the Governor; which was withdrawn.

P Mr Symmicks moved, That the House proceed to the election of Assistant Clerk; which was negatived.

P On motion of Mr Martin, a committee was appointed to confer with such committee as may be appointed by the Legislative Council, to procure a House for the accomodation of the present General Assembly. P Messrs Martin & Rutherfurd were appointed Members of said committee.

P Mr Rutherfurd moved the appointment of the following Standing Committees, to wit: the Committee on the Judiciary; on Memorials; on Militia; and on elections, P which motion was adopted.

On motion of Mr Rutherfurd, it was P Resolved, That the Clerk procure such articles of Stationary as may be necessary for the use of the House of Representatives, during the present Session.

P On motion of Mr Symmes, the House adjourned until tomorrow morning, ten O'clock.

4c.

Tuesday morning, October 8th. 1833.

The House met pursuant to adjournment.

On motion of Mr Byrne, the House then proceeded by ballot, to the election of an Assistant Clerk; and, on an examination of the votes, there appeared for James, the Nobleton, seventeen votes, and for Daniel A Williams, nine votes.

Whereupon, James the Nobleton, having a majority of all the votes given, was declared duly elected Assistant Clerk of the House of Representatives, was qualified accordingly, & proceeded to the discharge of his duties.

A Message from the Legislative Council by Mr. Elliott.

Mr Speaker I am instructed to inform your Honorable body, that the Legislative Council have met and organized, by electing Thomas Fothergill, President; W. J. Human, Secretary; Wm. D. Ward, Assistant Secretary; and Daniel Gray, Door-Keeper, — and that they are now ready to proceed to business. —

On motion of Mr Hudspeth, it was.—

Resolved, That a Committee be appointed, to join such Committee as may be appointed by the Legislative Council, to wait on the Governor, and inform him that both Houses are organized, and ready to receive any Communication his Excellency may thereby please to make; and Messrs Hudspeth, Martin, Clark & Hammond, were appointed to constitute said Committee.

On motion of L. Mr Rutherford, it was
Resolved, That permission be granted to the Editors of newspapers in this place, to come within the bar of the House of Representatives, & extract from the Journals thereof such matter as they may deem important to their patrons, under such regulations as the House may prescribe. Which resolution was adopted.
A message from the Legislative Council, by Mr Beam
Mr Speaker — I am instructed by the Legislative Council to inform your honorable body that Messrs Beam Smith & Elliott, are appointed a Committee on the part of the Council, to join such committee as may be selected by the House of Representatives to wait upon the Governor, and inform him that both Houses are now organized, and are ready to receive any Communication which he may be pleased to make.
On Motion of Mr Hudspeth, it was
Resolved, That a Committee be appointed, to examine the rules for the Government of the House of Representatives, to see if any alteration are necessary, and to report thereon as soon as practicable; and Messrs Hudspeth, Chesley, Rutherford & Martin, were appointed to constitute said Committee, Which resolution was adopted; and Mr. Williamson
A message from the Legislative Council, by Mr Williamson:
Mr Speaker — I am instructed to inform your Honorable body, That the Legislative Council have concurred in the adoption of the joint rules

of 1631, for their government during the present session.—

A message from the Legislative Council, by Mr McKean:

Mr Speaker—I am instructed to inform your Honorable body, that the Legislative Council have adopted the hour of Nine O'clock, as the time of meeting, and request the concurrence of the House of Representatives.

On Motion of Mr Rutherford, it was

Resolved, That a Joint Committee, on the part of the House of Representatives, be appointed to act in conjunction with such Committee as may be be appointed by the Legislative Council, for the purpose of examining the Joint rules of both Houses, and report thereon; And Messrs Rutherford Dickson Tuckett & Bozey were appointed to constitute said Committee. Which resolution was adopted.

On Motion of Mr Byrd, it was—

Resolved, That the door-Keeper of the House of Representatives be ordered to procure, for the use of the House, two dozen Chairs, if the same can be had; if not, four suitable benches; one Large Table, with two draws; and four small Tables; Which resolution was adopted. The House then took a recess until 3 Oclock.

Mr Hudspeth, from the Committee appointed to wait upon the Governor, made the following report:

The Committee appointed to act in conjunction with the Committee appointed by the Legislative Council, to wait upon the Governor, report, That they have performed

the duties assigned them, and were informed by his Excellency, that he would make a communication in writing to both Houses of the Legislature, at twelve O'clock to-morrow.

On motion of Mr. Clark, it was

Resolved, That the hour of meeting be nine O'clock.

On motion of Mr Byrd, it was

Resolved, that a committee of three be appointed, on the part of the House of Representatives, to act in conjunction, with such committee as may be appointed on the part of the Legislative Council, to receive sealed proposals from Editors of Newspapers to do the Public Printing; which Resolution was read and, on motion of Mr Martin, the House adjourned.

Wednesday morning October 9th. 1833

The House met pursuant to adjournment & were after remaining some time in Session, a recess was taken, and the House having again met, the following Message was received from the Council by Mr. Wolfe Mr Speaker

I am requested to inform your Honorable body, that in consequence of a mistake having been made yesterday in Counting the Ballots for President of the Legislative Council, in that body, on Thursday, without a presiding officer this morning and immediately went into the election of a President, which election resulted in the choice of Mr Williamson. They now have the honor to inform you that their body is organized, and have adopted all the proceedings of yesterday and request your body to recede all Communications made to you yesterday as coming from an organized body.

On motion of Mr Rutherford, the House Concurred in the request contained in the foregoing Communication from the Legislative Council

On Motion of Mr Clark, it was

Resolved that a Committee be raised to act in conjunction with such Committee as may be appointed on the part of the Legislative Council to examine enrolled bills, and also a Committee on ways & means, which resolution was adopted.

The Speaker announced the following Standing Committees: Committee on Judiciary Messrs Hutson Raymond, Buzzard & Stallcup

Private Memorials Messrs Rutherford, Ragan, Thurmond, Saylor, Magruff, Shaw, Martin and Clark

On Militia Messrs. Clark, Hanks, Hill, Jinnings, Dagan & Whitson.
On Elections Messrs. Woodruff, Byrnsides, Burk, Alexander, Clark, Harrison & Tucker
Ways & Means Messrs. Tucker, Dickson, Roberts & Boggs.
Joint Committee on enrolments Messrs. Byrce, Whitson & Garrett.

The Legislative Council having repaired to Hall of the House of Representatives, the Governor of the Territory of Arkansas, then transmitted, through his John P. Field, his Private Secretary, the following Message.

Gentlemen of the Legislative Council and Gentlemen of the House of Representatives. While we must deeply deplore the loss and sufferings of a large portion of our fellow citizens on the late unfortunate freshet in the Arkansas River, we have reason to be thankfull to him who controles and regulates all things, for our almost entire exemption from that awfull scourge of nations the Spasmodic Cholera which has afflicted many other portions of our Common Country.

I Congratulate you and your constituents upon the rapid march of this Territory in improvement, population, & wealth, and on the kind & generous liberality of the National government, manifested from year to year toward this infant people. Unlike the oppressed and plundered provinces of Ancient Empires, the loving kindness and tender care of the parent Government seems to be proportioned to the weakness

and one city of its offspring. In a few years the numbers and wealth of this Territory will authorise an application to Congress for admission into the Union as a member of the Confederation, but before this step is taken it would be wise to urge on the consideration of that body the justice and policy of making ample appropriations for roads from the interior of this Territory to its borders in various directions. We must be aware of the Constitutional doubts and objections, which are constantly interposed to internal improvements in the States which do not apply to a Territory and of the inability of the people for a long period to come if united into a State government to make those expensive highways which may be justly deemed indispensable inlets to this Country. While the people remain in their Territorial Condition, and the public lands continue under the exclusive Jurisdiction of Congress, both sound policy and the interest of the nation will prompt those necessary & useful expenditures there, which must cease to a great extent upon a change of your political condition, In making these suggestions I beg you to be assured that I am influenced by a sincere and disinterested solicitude for the happiness & prosperity of this people, My present term of official service will expire before the next session of this general Assembly, and I have no expectation of continuing beyond that period in office

pursuant to the authority vested in the Governor of this Territory by act of Congress passed on the fourth day of July 1832 respecting the ten sections of land granted for a Legislative house at Little Rock, I have located and sold about eight sections of the land at the rate of five dollars per acre, subject to a deduction of six per cent for prompt payment, and one section and a half of the residue has been applied for & will probably be sold in a few days on the same terms leaving only a half of a section to be disposed of. A part of the price has been paid and bonds taken for the residue, a portion of the land has been selected, where the surveys have not been completed, and the business cannot be closed untill the surveys are made and approved, one of my locations must be changed or amended to conform to the views of the President, if his objection be adhered to, I indulge a hope that it will be abandoned on the ground of precedent and usage, in analogous cases! and if not, the value of the donation will not be materially impaired, the Secretary of the Treasury in his letter of the 31st of August last seems to concur with me in the construction of the ten section act and the act granting one thousand acres, for Court House Jail &c, but the President of the United States in a communication to him of the second of September last a copy of which has been forwarded to me

by Mor Deane, the Secretary dissents from the opinions of both the Secretary and myself, on one point applicable to a single location. He does not think the Governor authorised under the ten Section grant to divide quarter Sections so as to take the half of one quarter Section and the half of an adjoining quarter. The difficulty with regard to the location alluded to can be readily obviated. The Construction I gave to the law seemed to comport with the Spirit of liberality from which it emanated and the course pursued in similar cases. The Governor of this Territory was instructed to select 72 Sections of land reserved for a Seminary of learning. These Selections were commenced under the authority of Governor Byard and the business was completed under my authority after I came into office. in some instances Section were divided and the half of two adjoining Sections were taken to make a Section and such Selections were Sanctioned by the Secretary of the Treasury, the legality of which has never been questioned.

If the half of two adjoining Sections can be selected to make up a Section it is difficult to perceive why ~~that~~ half of two adjoining quarters can not be selected to make up a quarter Section within the meaning of the Ten Section act; and more especially when it is considered that quarter Sections are divisible, and half quarters subject to Sale and entry under the Law

laws of the United States It is believed also that under the Act granting any quantity of land not exceeding two quarter sections to each settler upon the Cherokee Lands, quarter sections have been divided and located in the manner I have done under the town section act, and that construction was sanctioned by the late Commissioner of the Land office although the words quarter section are used in both acts. In all cases of ambiguity I have thought it my duty to give a construction most favourable to the people of the Territory.

With regard to the location of fractions or fractional sections no objection is made either by the Secretary or by the President nor is there any objection made to the location of the thousand acres adjoining Little Rock if the boundaries are sufficiently described. The liberality and liberality ever evinced by the Government towards the people of this Territory encourages me with a confidence that he will not revoke the favours given, and allow the same beneficial Construction to the town section act that has been extended to other grants of a like nature, so long as he adheres to the ground taken my respect for him & his authority will induce me as fair as practicable to conform to it.

There was eight hundred and forty acres of the thousand acres granted Land office in Conveyance lots & parcels, and will proceed to sell them on a Considerable portion of them on the fourth monday in this month according to my advertisement in the Public Journals

and apply the proceeds to the erection of the public buildings contemplated by the act of Congress.

I purchased an eligible site for the State House and am progressing with the building with all practicable despatch, I deemed it expedient with a view to public convenience & economy to place the court house & public offices on same ground, the foundation of the Court house has been laid & I shall proceed with the building as soon as funds can be realized from the sales of the public property, I regret that it is not in my power to lay before you at this time a full statement of all the facts, locations, funds & expenditures connected with the public buildings & property, I expect to receive from the treasury department some additional communications in relation to the lands I have selected and will as soon as practicable exhibit to this General Assembly a view of my transactions in relation to the matters referred to, for which particularly accountable to you or not for the exercise of powers delegated to me by Congress it is due to the people and their representatives to give them satisfactory information on subjects which so intimately concern them; as I may not have the honor of addressing the General Assembly as Governor of Arkansas after the present session, I owe it to my public character as well as to the people to make a full exposure of my official conduct during the present session, by an act of Congress passed at their

last session the Governor of this Territory was authorised to select twenty sections of the lands reserved for a seminary of learning, under the authority of that act I have made the selection and advertised them for sale on the first Monday of November next, most if not all the selections offered for sale lie on or near the Arkansas river and I fear some of the land have been injured by the late rise in the river, and that it may be apprehended the impression made on the public mind is unfavorable to the value of lands on the Arkansas river, under these circumstances I am inclined to believe that it would be expedient to postpone the sale of a considerable part of the land untill there shall be a better prospect for selling for a good price, and I will take that course if your views accord with mine, a part must be sold to pay the expences of selecting the seventy two sections and other charges since incured, and a moderate funds ought to be raised to commence a literary establishment, a tax can be proved on by the General Assembly & some subordinate party of such an establishment may be immediately erected, such a measure would have an influence on the emigrations of substantial & respectable Citizens from the States to this Territory, and one of the strongest objections to removal here with men who have large families, is, the difficulty of having their children educated in a new country, it is among the first duties of the General Assembly to obviate this objection

at the earliest period, my impression is that not more than ten sections can be sold for a fair price, and from that quantity a sufficient fund can be raised to progress with the building contemplated for one or two years besides paying existing claims, a few sections near Butler Ave. City can probably be sold for as high a price now as for several years to come. A considerable portion of land is covered with valuable timber, constituting a large portion of its value, which will soon be destroyed if it remains the property of the public. From the phraseology of the act I had some doubt whether I could sell on credit, but as the law contained no positive direction on the subject, and a credit would ensure a better sale without loss or hazard, I have offered a reasonable time for a considerable part of the purchase money. On this as on all other subjects, I have been influenced by a single eye to the interest and lasting welfare of this people.

I have not received a report from either the Auditor or treasurer. The treasurer I understand is in his house at his residence and unable to attend, and the Auditor is probably awaiting his arrival to have a conference with him before he makes his report. I have good reason to expect the treasurers report in a few days, when it will be laid before You. The Auditor no doubt will make his without delay, which will be all communicated

I transmit to the General Assembly, copies of sundry resolutions of the State of Connecticut, received from the Executive of that State, concerning the Constitutionality of the Laws of the United States, imposing protecting duties and other questions growing out of those acts. I transmit also copies of the Resolutions of the State of Mississippi on the same subjects, to which I pray you will give that consideration and attention, which in your better judgement they merit.

Coming from the several Councils of the Territory, clothed with the confidence of your Constituents, you must be more intimately acquainted with their wants and grievances than I can possibly be and with the practicable operation of the Laws upon the various parts and fractions of the community. I must therefore leave those matters and others of a local nature to your care and management. Many subjects of public concern demanding your attention have no doubt been omitted in this communication but I trust more to your correct knowledge of facts and circumstances to direct the objects. The superior knowledge, constant observation and experience of the Judges will afford you much aid in prescribing appropriate remedies.

For the privileges derived to this people from the genious of our free Constitution, for the numerous blessings and felicity enjoyed in this new Country and for the

flattering prospects before You I invite You to join me in returning thanks to the ~~great~~ Great Ruler of the Universe.

Aware of Your attention to Legislative duties, and ardently hoping for cessation or abatement of that bitter party strife which has for a time to some extent disturbed our Social harmony. I will conclude by promising You my prompt concurrence in any and every measure tending to promote the interest and happiness of Your constituents and the welfare of the Territory.

John Pope

Little Rock Oct 8th 1833

~~Mr Ewing~~

The House then took a recess until three O'clock P.M.— and after the House had again assembled,

Mr Timmin offered the following resolution:

Resolved, That the Clerk of this House be instructed to have ——— copies of the Governors Message printed for the use of the House of Representatives on the best terms he can get it done,

Mr Whitson moved to fill the blanks in said resolution with the number of 500

Mr Tucker moved to fill up the blanks with 1000.

The question being taken on the highest number it was decided in the negative

The question was then taken on Mr Whitsons & decided in the affirmative

Mr Rutherford moved the following resolution:

Resolved, That the House of Representatives attend a Committee of ———

to join such Committee as may be appointed on the part of the Legislative Council upon the public buildings

On motion of Mr Martin the blanks of the foregoing resolution was filled with the number of five and thereupon Messrs Rutherford, Martin, Buggard, Byrnsides & Shaw were appointed to constitute said committee.

On motion of Mr Byrd, the following resolution was adopted;

Resolved, that so much of the Governors message as relates to the ten sections & public buildings, be referred to the Committee upon public ~~Lands~~ buildings.

On motion of Mr Rutherford, the following resolution was adopted:

Resolved, that the House of Representatives appoint a Committee of ——, to act in conjunction with such Committee as may be appointed on the part of the Legislative Council upon the subject of Seminary Lands

Mr Byrnsides moved to fill the blanks of said resolution with five; Mr Clark with three; The division of the House was taken on Mr Byrnsides motion, and negatived. The then occured on Mr Clarks Motion, and was decided in the affirmative. And Messrs Rutherford, Whitson and Burks, were appointed said Committee. —

On motion of Mr Hardeth, Mr Hammond and Fielding was added to the Committee on elections.

Message from the Legislative Council by Mr Sinclair Mr Speaker

I am instructed to inform your honorable body, that a Committee of three members, consisting of Messrs Sinclair, Alexander & Fielding have been appointed to act Jointly with such Committee

as may be appointed on the part of the House of Representatives to inquire into the expediency of digesting the laws now in force in this Territory, and to request the concurrence of your body therein.

Which, on motion of Mr Rutherford, was laid on the table until tomorrow.

On motion of Mr Byrd, it was

Resolved, That a committee be appointed by the House of Representatives to act in conjunction with such Committee as may be appointed on the part of the Legislative Council to examine the Auditors and Treasurers Books and accounts, and be instructed to Examine & report what alterations (if any) are necessary in the revenue laws of this Territory, with leave to report by bill or otherwise.

And Messrs Byrd, Clarke, Watson, & Hanks, was appointed said Committee

On motion of Mr Martin it was

Resolved, That the hour of meeting of the House of Representatives be changed from 5 to 10 Oclock

Mr Hanks moved to reconsider the Resolution offered on yesterday by Mr Byrd, that the House receive sealed proposals for the public printing; which motion was carried in the affirmative,

And, on motion of Mr Byrne it was, the House adjourned.

Thursday Morning Oct 16th 1833.

The House met pursuant to adjournment.
Prayers, on motion of the Hon Mr Wilson, it was
Resolved, That the Committee to examine & report upon the Buildings, be discharged from all further duty or duties which might have devolved upon it, as such Committee. Which resolution was adopted.
On motion of Mr Fuller, it was
Resolved, That the documents accompanying the Governors Message be now read. Which was adopted.
A Message from the Legislative Council by Mr Sinclair.
Mr Speaker
I am instructed to request that you will transmit to the Legislative Council the Message of the Governor & accompanying documents delivered to your House yesterday, in order that they may be entered upon the Journals of the Council. & I am also instructed to announce to your House the following standing committees have been appointed on the part of this House; Committee on Elections Messrs Wolfe Smith, Dudley, Kirkendall & Martin. Committee of Ways & Means Messrs Tidwell, Holloway, Lane, Sinclair & Clark. On Memorials Messrs Ficklin, McKean, Boswell, Mortimer Thompson Bean & Sinclair. Committee to examine the books of Auditor & Treasurer Messrs Farrelly, Ellis, Smith, McKean & Caldwell. On the Judiciary Messrs Farrelly, Anderson, Sinclair, Alexander & Ficklin

On the motion Messrs Elliott, Bean, M'Mean, Levett & Moore. On Divorces & Alimony Messrs. Boswell, Caldwell, Alexander, Bean, Anderson, Lindsay and Calloway

Message from Legislative Council by Mr M'Kean Mr Speaker

I am Instructed to inform your honorable body, that a Committee of two have been appointed on the part of Legislative Council Consisting of Messrs Fickle & Beard to join such Committee as may be appointed on the part of the house of Representatives, to make such arrangements as may be necessary for a building for the accomodation of the present General Assembly and to request your Concurrence Therein —

Mr Byrd presented the petition of Edwin T. Clark Contesting the Election of Melinda Hanby of the County of Phillips. Which on his motion was referred to the Committee of Elections

On motion of Mr Roberts it was

Resolved, That the documents accompanying the Governors Message be Spread on the Journals of this House before they are transmitted to the Legislative Council. Which motion was Lost

On Motion of Mr Clark, it was

Resolved, That a Select Committee be raised for the purpose of taking under Consideration the documents accompanying the Governors message

On motion of Mr Burby it was

Resolved That a Select Committee be raised to Examine the act establishing County Courts to see if any defect be found therein; with leave to report by Bill or otherwise. Which resolution was negatived

On motion of Mr Bryce, it was
Resolved, That so much of the Governors Message as relates to making appropriations for roads be referred to the Committee on Memorials. Which resolution was adopted.

On motion of Mr Whitbeck, it was
Resolved, That the House of Representatives appoint a committee to Examine the Laws of this Territory in relation to Roads & Highways, & report by Bill or otherwise & which Resolution was adopted. Whereupon Messrs Whitbeck, Jennison, Burr & Wright & Mr Clark were appointed.

A communication from Legislative Council by Mr Clark & Mr Mackie

I am instructed to inform your honorable body, that a Committee of four consisting of Messrs Elliott, Bowell, Judkins & Farnsworth, have been appointed on the part of the Council to act in conjunction with such Committee as may be appointed by your House to receive proposals for the public printing; and to request your concurrence therein.

On motion of Mr Hudsuth, the House concurred, & appointed Messrs Hudsuth, Hanks, and Barrett & Hall, on the part of the House of Representatives.

The House then took a recess until 3 O'clock.

And the House having again met,

On motion of Mr Lunning, it was
Resolved, That the Committee on Memorials be instructed to inquire into the expediency of memorializing Congress for an appropriation to improve the navigation of White River as far up as the Buffalo shoals which Resolution was adopted.

On motion of Mr Byrnside the following resolution was adopted:

Resolved, That the Committee on memorials

be instructed to enquire into the expediency of memorial-
=izeing Congress on the propriety of enlargeing the appropri-
=ation for opening the road leading from La Moore
in Lawrence Cty, to Liberty, in Izard County, and
Fayetteville, in Washington Cty, and to Fort
Smith, on the Arkansas river
On motion of Mr Berry the following resolution
was adopted:

Resolved that the Committee on
the Judiciary be instructed to examine the acts
establishing County courts to see if any defects be
found, & with leave to report by bill or otherwise
On Motion of Mr Rutherford the Order of the
day was taken up
On Motion of Mr. Martin, the House concured
with the Legislative Council in appointing a Joint Committee
to inquire into the expediency of digesting the laws
now in force in this Territory; and thereupon the
Speaker appointed Messrs Martin. Rutherford. Hawks
and Hill, to compose said committee on the part of
the House.
On motion of Mr Martin, it was
Resolved, that a select Committee be appointed
to examine the law governing Administra-
=tions, & report thereon by bill or otherwise which
was adopted
Mr Rutherford moved that the said Committee
be composed of five which was adopted
On Motion of Mr Tunnin the following resolution
was adopted:

Resolved that the committee
upon Memorials be instructed to Enquire into
the expediency of Memorializing Congress on the
propriety of adding an appropriation to open a
Road from Batesville by Pine Bluff to Izard Court House

On motion of Mr Bragg and the following resolution was adopted:

Resolved, That the committee on memorials be instructed to enquire into the expediency of Memorializing Congress for the further appropriation for the purpose of opening & removing the obstructions in the raft of Red river

On Motion of Martin, the following resolution was adopted:

Resolved, That the committee on memorials be instructed to enquire into the propriety of Memorializing the Presidente of the United States for the removal of the Garrison at Fort Gibson, to Fort Smith, or some other Western point of the Western frontier.

On Motion of Mr Logan, the following resolution was adopted:

Resolved, That a select Committee be appointed to take into Consideration all the laws now in force and in use in this Territory relating to the attachment laws, and see if any alteration be necessary, and report the same by bill or otherwise.

On Motion of Mr Clark, the [illegible]

Resolved, That the Committee on Memorials be instructed to enquire into the expediency of making a donation of land to actual settlers on our Western frontier, which was decided in the negative

On motion of Mr Roberts the following Resolution was adopted:

9K

Resolved, That the committee on Memorials be instructed to Memorialize Congress to donate to each and every County of this Territory one Section of the unappropriated Lands of said Counties, for the purpose of raising a fund for building Court-houses & Jails.

And on Motion of Mr Byrnside, the House adjourned

Tuesday October 11th 1842

The following Memorials & Petitions
were presented from the Citizens of Washington County, praying the
Appointment of Commissioners to lay out
the Town of Fayetteville in Said County, &
to sell and dispose of the lots, and
appropriate the proceeds to the erection
of Court House & Jail.

Which, on
Motion of Mr Hudspeth, was
referred to a Select Committee & Reports Byrnside
Regan, Dixon, Alexander & Rutherford, (were appointed
Select Committee)
Message from Legislative Council by the Journal
Mr Speaker

I am authorized & directed to inform
your Honorable body, that the Legislative Council
have Concurred in the report of the select Committee
to provide a suitable House for the Legislature
at the present Session.

Mr Martin from the Committee appointed to make
arrangements for a House for the accommodations
of the present General Assembly, made the following
Report:

The Committee appointed to act in Conjunction
with the Committee appointed on the part of the Legislative
Council to make arrangements for a House for
the use of the present General Assembly Report
that the same has been had under advisement,
and that the most advantageous proposition as your
Committee conceive has been made by Doctor McWilliams
which is to give the use of the rooms now occupied
by the Bar Rooms, and three adjoining back
rooms for one hundred & fifty dollars for the term

of the present Session, Your Committee are of opinion that this is the best arrangement that can now be made: which Report was agreed to.

On Motion of Mr. Hill, Resolved that the Committee on memorials be instructed to memorialize Congress for an appropriation to open a Road from Strong's in St. Francis County by Litchfield to Batesville the rich settlement on woods, little red river, to intersect the national road from Little Rock to Fort Gibson. which was adopted.

On motion of Mr. Byrneside the following resolution was adopted. Resolved that the Committee on memorials be instructed to inquire into the expediency of memorializing Congress to open a road from the town of Fayetteville in Washington County to the Missouri line of the State of Missouri. in the direction to the county seat of green county in Missouri.

On Motion of Mr. Byrneside the following resolution was adopted. to wit.
Resolved, that the committee on memorials be instructed to inquire into the expediency of memorializing congress for an extention of of the preemption law, to every settler on public lands in this Territory.

Mr. Buzzard moved the adoption of the following resolution," Resolved that there be a select committee of—— be raised to inquire into the expediency of memorializing congress upon the subject of organizing a company of Rangers to guard the frontier of Miller County. which was decided in the negitive.

On Motion of Mr. Hanks the following resolution was adopted. Resolved. That

the Committee on memorials be instructed to to inquire into the expediency of Opening a road from Helena A. T. to intersect the military road, at or near the mouth of Cash.

The Speaker announced the following Select Committees, to wit, on the committee to examine & report on the propriety of altering the Attachment law Messrs. Ragan, Taylor, Martin, Stillwell & Bogy Committee on the law concerning Administrators. Messrs. Martin, Buzzard, Hammonds, Tucker & Clark.

Mr. Whitson moved the following Resolution, "Resolved that the Committee on memorials be instructed to inquire into the expediency of memorializing Congress in favour of the citizens of Arkansas Territory who have been injured by the late overflow of the Arkansas rivers, which was negatived.

Mr. Stillwell introduced the following Resolution, which was adopted, "Resolved that the Committee on memorials be instructed to inquire into the expediency of memorializing the Congress of the United States, for an appropriation to open a road from the Mississippi at the mouth of the Arkansas river, to the Post of Arkansas to intersect the Memphis & Little Rock road in the grand Prarie near Mrs. Blacks.

Mr. Roberts moved that a committee be raised in this House, on Divorce & Alimony. which was decided in the negative.

On motion of Mr. Clark the following resolution was adopted, "Resolved, that the Committee on memorials be instructed to enquire into the propriety of memorializing

Congress for an appropriation to open a road from Paraclifta the seat of Justice in Sevier County by way of Washington and Cotefabre to Columbia the seat of justice in Chicot County

On Motion of Mr Ragan the following Resolution was adopted

Resolved that the committee on memorials be instructed to inquire into the expediency of Memorialiseing Congress for an appropriation to build a penitentiary in the Territory of Arkansas.

On motion of Mr Thurmond the following Resolution was adopted

Resolved that the Committee on memorials be instructed to enquire into the expediency of memorialiseing the Congress of the United States upon the propriety of making an appropriation to open a road from Columbia Chicot County by Pine Bluffs on Arkansas River to Little Rock

On motion of Mr Buzzard the following Resolution was adopted

Resolved That a select committee be appointed to enquire into the expediency on memorializing Congress on the subject of stationing one of the companies of Dragoons on Red River for the purpose of guarding & protecting the frontier of Miller County, and that their place of rendezvous be at Fort Towson And

On Motion of Mr Rudd the House adjourned.

House of Representatives October 12th 1833.

The House met pursuant to adjournment

On Motion of Mr. Whitton. Mr. Hanks was added to the Committee on roads & highways.

On motion of Mr. Tucker the following resolution was adopted," Resolved, that there be a select committee appointed to examine the penal laws, to see if any alteration is necessary to be made, with leave to report by bill or otherwise.

Mr. Garrett offered the following resolution. Resolved, that the committee on the Judiciary be instructed to examine the appeal law of this Territory. to see if there is any defect therein, if any, to report thereon by by bill or otherwise, which was negatived.

On motion of Mr. Buzzard the following Resolution was adopted, "Resolved that a Select Committee be appointed to inquire into the expediency of memorializing Congress upon the subject of opening a road, beginning at Murrel's Post Office in Louisania on the Military road leading from Nachitoches to Washington in Hempstead county A. T. by the way of Conway post Office A. T. Lafayette Post office A. T. Fort Prairie post office A. T. and Miller Court House Post Office A. T. & thereupon Messrs. Buzzard. Clark. & Shaw, were appointed said Committee.

On Motion of Mr. Burt the following resolution was adopted, Resolved, that the Committee on memorials be instructed to inquire into the expediency of memorializing Congress for a further appropriation to repair the road leading from Jackson in Lawrence County by Little Rock to Washington in Hempstead County & to extend the same to the

Louisania line. the same road that was laid off and opened by the United States.

On Motion of Mr. Tucker the following Resolution. was adopted, "Resolved that there be a Select Committee appointed to examine the laws of this Territory regulating officers fees. to see if any alteration is necessary to be made, with leave to report by bill or otherwise. and Messrs. Tucker. Ragan, Burgwin. Clark & Whitson. are appointed to constitute said Committee.

Mr. Hudspith from the Joint Committee appointed to receive sealed proposals for the Public printing. asked & obtained leave to make the following report.

The joint committee appointed to receive sealed proposals for the public printing. Report that they have received proposals from C. P. Bertrand and Wm. E. Woodruff. which we beg leave to submit as part of this report. with also the proposals of Wm. E. Woodruff made to the Legislature in 1831. inserted in the printed Journals page 54 refered to in the proposals of Mr. Woodruff. his bids, offers to do the work for 5 per cent less than said proposals submitted in 1831. Mr. Bertrand's bids is given in detail And your committee on comparing both discover a difference in favor between them. Mr. Bertrand's being the lowest by taking the mean on all kinds of work of 6¼ per Cent. all of which is respectfully submitted. and on motion of Mr. Rutherford the said report was laid on the table.

On Motion of Mr. Clark. Resolved that the Committee on Memorials be instructed to inquire into the propriety of memorializing the Congress of the United States for an appropriation for the purpose of repairing the Military road from Washington in Hempstead County to the western boundary line of this Territory. on the direction to Fort Towson.

On Motion of Mr. Tinnin.

Resolved, that a Select Committee be appointed to see if any alteration be necessary on the subject of altering the mode of administering oaths of Office, in this Territory, and to report by bill or otherwise, and thereupon Mr. Tinnin, Mr. Hill, Mr. Byrnside, Mr. Magness and Mr. Byrd was appointed to Compose said Committee.

Mr. Reagan offered the following resolution.

Resolved, that a Committee be raised to inquire into the expediency of extending the Jurisdiction of Justices of the peace and Constables, throughout there respective Counties, with leave to report by bill or otherwise, which was decided in the negative.

No. 1 Mr. Byrd asked & obtained leave to introduce a Bill entitled, "an act for the punishment of Slaves guilty of the crime of Larceny." which was read a the first time, and ordered to a Second reading.

Mr. Speaker appointed Mr. Buzzard, Mr. Clark and Mr. Alexander a committee, to examine and report on the propriety of memorializing Congress to Station one Company of United States Rangers, at Fort Towson, to guard the frontier of Miller County, under a resolution offered on yesterday by Mr. Buzzard

No. 2 Mr. Rutherford asked & obtained leave to introduce a bill entitled, "an act supplementary to an act authorizing Envy Wilson to erect and keep a toll bridge across the Pelaun Bayo;" which was read the first time and ordered to a Second reading.

On Motion of Mr. Clark, Mr. Martin was added to the Committee on the Militia.

On Motion of Mr. Hanks the report of the Joint Committee appointed to receive proposals for the Public Printing, was taken up, the report and

accompaning documents were ordered to be read by the clerk, thereupon Mr. Bynside introduced the following resolution, to wit, "Resolved that the committee appointed to receive sealed proposals for the Public Printing, be instructed to ascertain from the Persons making bids at what time the printing shall be completed, which was decided in the affirmative Ayes 13. Nays 7.

A Message from the Legislative Council by Mr. Farrally Mr. Speaker, I am instructed to inform your honorable body, that the Report of the Joint Committee appointed for receiving proposals for the public printing, has been referd back to the Joint Committee from whence it originated, in order that the report may be more fully made out by that Committe, shewing the difference in detail between the several proposals. and a Concurrance on the part of the House of Representatives, is asked. and on motion of Mr. Bunt the House concured.

Ordered that Mr. Bynside inform the Legislative Council thereof.

No. 3. Mr. Byrd asked & obtained leave to introduce a bill entitled "an act concerning the Summoning Juors," which was read the first time and ordered to a second reading.

On Motion of Mr. Rutherford, the House adjourned to Monday.

House of Representatives October 14th 1853

The House met pursuant to adjournment
Mr Wilson presented a petition of sundry citizens of
Crawford County praying for the erection of
a new County, which on his motion was referred
to a select committee and thereupon it was
referred to Messrs Wilson Martin & Sanders
Mr Headspeth from the Standing Committee on
elections made the following report
Your Committee to whom was referred the petition
and other files of Edwin J Clark "praying
for a seat in the House of Representatives as
Member from Phillips County" and contesting
the election of Millenden Hanks, the sitting
member, have committee ask leave to report
have had the aforesaid petitions under & other files
under thorough examination and taking them
through a minute & laborious investigations
we your Committee are of the opinion that
the aforesaid Edwin J Clark has not substan-
tiated his claims as to entitle him to the seat
of Millenden Hanks, therefore, your Committee
beg leave to report in favor of the sitting
Member, and respectfully submit this
report with the petition & accompanying
documents to the order of this House, and
asked to be discharged from the further
consideration of the said petition; which on motion
Mr Headspeth was laid on the table.

Mr Headspeth from the Joint Committee
appointed to receive proposals for the following
public printing, made the following report

The Joint Committee on receiving proposals for the public Printing to whom the subject was again referred with instructions to report more specifically. — Report that your Committee have reconsidered their report submitted with the proposals of L. P. Bertrand & William E. Woodruff and in order more clearly to elucidate the matter, remark that the prices of public Printing have been proportionately in advance of what otherwise might otherwise be considered a fair charge for labor & materials of the kinds. The advance has been measurably proportionate with the discount on depreciated currency, and the proposals heretofore submitted at the different sessions of the general Assembly & spread on the Journals of each session are accompanied by a list of cash prices at which the accounts would be made out in the event of funds being in the treasury, the time of the audit or allowance, The accounts for public Printing have been always made out at cash prices and paid in that currency at the Treasury, your Committee conceive that in all cases the public Printing when the Legislature have spread on their Journals proposals or list of prices to govern the accounting offices in the liquidation of accounts that the auditor knowing as he must at all times the state of the Treasury would audit and account the kinds at cash prices when there were funds in the treasury to disburse the same, should be held responsible and compelled to refund the difference, Your Committee submit the following abstract giving a comparative proposals marked A is a part of their report which show the difference in cents between the different proposals submitted. Accounting that the acts too

be passed the present session will require the same number of pamphlet pages as those of last, being 108 pages and that 600 numbers be requisite for the use of the people the publishing the same & insertion in the newspapers & the printing of 500 Copies of the Journals admitting them to contain the same number of pages as those of last Session being 328 would make a difference of $64.13 on those two items of Public Printing, the proposals of Mr Bertrand being that amount lower on those two items than those of the Woodruffs

Mr Smith Mr Beckwith presented a letter from Mr Woodruff Explaining his bids for public printing And On Motion of Mr Rutherford it was ordered to be read Ayes 14 nays 10

Mr Rutherford moved to take up the report of the Committee on elections, On the petition of Edwin D. Clark contesting the election of Millington Starks the Sitting member from Phillips County adopted

Mr Byrd moved that it be referred to the Committee of the whole House & made the order of the day for tomorrow. — adopted

4 Mr Clark asked and obtained leave to introduce a bill entitled an act to repeal the 5th section of an act entitled an act for the division of Clark County passed November 2nd 1825 which was read a first time & ordered to a second reading

5 Mr Wilson asked & obtained leave to introduce a bill entitled an act to regulate the Tax on Merchandize in Arkansas Territory which was read & ordered to a second reading

6 Mr Martin asked and obtained leave to introduce a Bill to be entitled an act supplementary to the law defining the crime of maiming, which was read and ordered to a second reading —

7 Mr Martin asked and obtained leave to introduce a Bill to be entitled an act altering the mode of assessment in this Territory which was read and ordered to a second reading

8 Mr Martin asked & obtained leave to introduce a bill to be entitled an act supplementary to the several laws now in force regulating the fiscal Concerns of the Territory, which was read & ordered to a second reading:

9 Mr Roberts asked leave to introduce a bill to be entitled an act for the Relief of Benjamin F Howard Sheriff of Conway County, which was read & ordered to a second reading —

On Motion of Mr Martin the following Resolution was adopted

Resolved That the Committee appointed to receive bids for the Public printing be instructed to notify Mr Bertrand of the reception and contents of the letter of explanation of Mr Wordruff and receive from him (Bertrand) such letter of explanation as he may think proper to to ~~xxxx~~ Communicate to said Committee

Message from Legislative Council by Mr Elliott Mr Speaker

I am instructed to inform your Honorable body that the Legislative Council have ordered to be spread upon their Journals a letter from Wm E Wordruff Explanatory of his bid for the public printing, as also the following explanation from A P Bertrand

of this bird, In case of cash being in the Treasury at the time I present my accounts to the auditor to discharge the same, I will make a deduction of 20 per cent from the prices in my proposals

Oct 4th 1833. Signed A P Bertrand

Mr Hudspeth moved to have the explanatory letters of Woodruff & Bertrand spread on the Journals, which was adopted

Little Rock 12 Oct. 1833

Sir in reply to your note of this evening, I have to say, that, being in the habit of making no difference in my ordinary business transactions between Cash and Territorial Scrip & presuming, besides, that the situation of our Treasury, on the receipt of this years revenue, will make it unnecessary to issue any more Scrip after the present year, & that therefore the Compensation for executing the Public Printing for the present Session will be made in Cash. I thought it unnecessary to specify in my proposals of 16th Inst that the prices intended to be understood was the Cash prices for work, as specified in my proposals to the Legislature of 6 Oct 1831. To prevent any further misapprehension on the subject, I now beg leave to state, distinctly that the prices intended to be understood, was five per cent less than the Cash prices specified in my proposals to the last Legislature - without any reference whatever to Scrip prices specified in those proposals - The practical operation of my proposal is to reduce the prices for printing the acts from $1.00 75/100 to $1.00 00/100 per page the Journals from

~~$ XXX 25~~ $1 25/100 to $1 18 3/4 per page — and other work in the same proportion. —

I will further add, that I have an ample supply of suitable Paper on hand to do the Public Printing, and a sufficient number of workmen in my Office to execute the work, with reasonable dispatch — that I am prepared to commence the printing of the acts at a days notice; and will complete them in two months (probably in little more than half that time) after securing the Copys if they do not exceed 100 pages, and if they exceed that number of half pages, at the rate of at least 16 pages per week, for the excess over 100 pages — The Journals will be commenced immediately after the Completion of the acts, and their printing shall progress at the same rate as to time until ready for distribution. —

For the faithful execution of the Public Printing, & for its completion within as short a time as possible, I am ready to enter into bond with ample security

All which is respectfully submitted

Dr W.W. Clute Your obt. Servt. Wm E. Woodruff

Wm. Leish Com. to recieve Proposals for Public Printing.

On Motion of Mr Byrnside the following Resolution was adopted:

Resolved, That the Public Printer be required to give bond, with good & sufficient security, in the sum of five thousand $ dollars for the good and faithful performance of his duties as printer in a reasonable time

On motion of Mr. Rutherford the following Resolution was adopted;

Resolved, That the Legislative Council be requested to attend in the Hall of Representatives tomorrow, at 12 Oclock, for the purpose of Electing a public printer.

A Message from the Legislative Council, by Mr. McClain.

Mr Speaker I am instructed to inform your honorable body, that the Legislative Council have agreed to the instruction to the Joint Committee on Public Printing, to ascertain from the persons making bids, at what time the printing shall be done and completed with the following amendment: "with bond and security for the execution of the same" and request the concurrence of the House of Representatives.

Mr. Byrnside moved that the House concur which was adopted.

Ordered, That Mr. Hudspeth inform the Council of the same

On motion of Mr. Byrnsides the following resolution was adopted:

Resolved, That a select Committee raise to inquire into the expediency of memorializing Congress to establish one company of the United States Dragoons on the Frontier of Washington and Crawford Counties.

Mr Martin asked leave of absence for Mr Rutherford. which was granted.

On Motion of Mr Byrd, the order of the day was taken up.

No 1 A Bill for the punishment of slaves for the crime of larceny. was read a second time. And

On Motion of Mr. Clarke, it was committed to a committee of the whole house, and made the

order of the day for tomorrow.

No 2 A Bill supplementary to an act authorising Ensey Wilson to erect and Keep a toll Bridge across Palam Bayou: was read a second time, and

On motion of Mr Hudspeth, it was ordered to be engrossed & made the order of the day for tomorrow.

No 3 A Bill to be entitled an act concerning the summoning Jurors was read a second time;

And on Motion of Mr Martin, it was committed to the committee of the whole, and made the order of tomorrow

Message from the Legislative Council, by Mr Beard.

Mr President

I am requested to inform your Honorable body, that the Council have agreed to the Resolutions of the House of Representatives, to go into the Election of Public Printer, with the following amendments; to strike out the words "12 Oclock tomorrow" and insert "3 Oclock this afternoon;" and ask the concurrence of your House.

Mr Hudspeth moved that the House concur which was agreed to, and inform the Legislative Council of the same.

The Member from Izard County appeared and produced his Credentials, was qualified & took his seat.

On Motion of Mr Martin, the following Resolution was adopted.

Whereas it appears from an invitation lying on the Clerks Table, that the friends of Col. Benjamin Chambers are invited to attend his funeral this evening at 4 Oclock, Therefore be it resolved, That the members of

the House of Representatives be requested to form a procession and attend said funeral at the hour appointed —

¶ The House took a recess until half past two —

¶ The House having again met

No 10 Mr Beggard asked and obtained leave to introduce a bill, entitled an act supplementary to an act entitled an act to locate the permanent seat of Justice in the County of Sangamon, which was read a first time and ordered to a second reading —

¶ Ordered, That the Legislative Council be requested to attend in the Representatives Chamber to elect a public printer, and that Mr Turner inform the Council thereof ¶ The Legislative Council having repaired to the House of Representatives, and

¶ Mr Farrelly Moved that the House proceed to the election of public printer Viva Voce. adopted.

¶ Mr Elliott nominated Mr Woodruff & Mr Farrelly nominated Mr Bertrand.

Mr Clark, of the Council, moved to have the proposals now read which was decided in the affirmative. ayes 25, noes 19.

¶ And on the suggestion of Mr Farrelly, it was ordered, That the Report of the Committee & accompanying documents be read.

¶ The vote then for public printer was taken, which resulted as follows, to Wit: For Wm E Woodruff 26 Votes, and for Charles P. Bertrand 23 Votes. —

¶ Those of the Legislative Council who voted for William E Woodruff were —

¶ Messrs Anderson, Alexander, Elliott, Ficklin, Lowes, Mc Kendall, Smith Thompson Tidwell & Mr President — 10; —

And those who voted for C. P. Bertrand were Messrs Bozwell Brian Clark Calaway Caldwell Daily Farrelly Judkins Moore McKean Sinclair & Wolf — 12

Those of the House of Representatives who voted for Wm E Woodruff were Messrs Alexander Byrnsides, Byrce, Burt, Dixon, Garrett, Hudspeth, Hammonds, Hagan, Roberts, Rutherford, Taylor, Shaw, Luckie, Talbot and Mr Wheeler — 11 —

Those who voted for C. P. Bertrand were Messrs. Bogy, Buzzard, Clark, Hill, Hanks, Magruder, Martin, Mitchell, Linn, Thurmond & Whitson — 11 —

Whereupon William E Woodruff was declared duly elected Public Printer for the ~~State and Territory~~ Territory of Arkansas and

On Motion of Mr Burt the House adjourned.

House of Representatives October 15th 1833.

The House met pursuant to adjournment.

Byrd's Petition Presented.

Mr Byrd presented a petition from Citizens of the Counties of Pulaski, Independence and Jackson, praying for the establishment of a new County, to be called Carroll, and which, on motion of Mr Hudspeth, was referred to a Select Committee, Comprised of Messrs Hudspeth, Roberts, Rutherford, Byrnside, and Shaw, Magness and Taylor.

Rutherford's Petition Presented.

Mr Rutherford presented a petition of Sundry Inhabitants of the County of Pulaski, praying the establishment of a New County upon Salines River, which was referred to a Select Committee Consisting of Messrs Rutherford, Clark, Burt, Timmin & Bogy.

On motion of Mr Hudspeth, the following Resolution was adopted, Viz:

Resolved, That there be a Committee raised to join such Committee as may be appointed on part of the Legislative Council to call on Wm E. Woodruff, for the purpose of requiring bond with approved Security agreeably to his proposals for executing the Public printing, and that this House respectfully ask the Concurrence of the Legislative Council; whereupon Messrs Hudspeth, Tucker & Martin were Ordered to Compose that Committee.

No 11. Mr Hudspeth asked and obtained leave to introduce a Bill to be entitled "An act to repeal, in part, an act entitled "An act to authorize the removal of the administration of Joseph James and Joseph Reykendall dec'd, to the Counties of Clark and Independence, approved October 27th 1821, and for other purposes," which was read a first time, and ordered to a second reading.

Mr Taylor asked and obtained leave to introduce a Bill to be entitled an act to appoint Commissioners, & to levy a tax for the purpose of building a jail for the County of Jackson, which was read a first time and passed to a second reading.

On Motion of Mr Roberts the following Resolution was adopted, Viz:

Resolved that a Special Committee be raised more particularly to define and designate the North-Western boundaries of Conway and Pope Counties, and report by Bill or otherwise; ~~Composed of~~ Messrs Roberts, Garrett & Walton were appointed said Committee

In accordance with the resolution submitted on yesterday by Mr Byrnside to inquire into the expediency of Memorializing Congress to Station a Company of Dragoons on the frontiers of ~~the~~ Washington and Crawford Counties; Messrs Byrnside Martin, Thurmond, Clarke and Hill, were appointed a Committee for that purpose.

On Motion of Mr Clarke the following Resolution was adopted;

Resolved, that the Committee on the Judiciary be instructed to inquire into the expediency of repealing the 68th Section in Geyer's Digest, under the head of Judiciary Proceedings with leave to report by Bill or otherwise.

On Motion of Mr Sutton, the following resolution was adopted;

Resolved, that the Committee on Memorials be instructed to inquire into the propriety of Memorializing Congress on the subject of reducing the price of public Lands in the Territory of Arkansas.

On Motion of Mr Thurmond, the following Resolution was adopted;

Resolved, that the committee on Memorials be instructed to enquire into the propriety of Memorializing Congress on the subject of the location of the Ten Sections of Lands donated to the Territory of Arkansas, and asking relief for the unfortunate Settlers whose claims & improvements have been taken by many of said locations.

On Motion of Mr Hudspeth, the order of the Day was taken up.

On Motion of Mr Thurmond, Resolved that the House resolve itself into a Committee of the Whole, On the Report of the Standing Committee on Elections, On the Petition of Edwin T. Clark Contesting the Seat of Hillsdon Manks, Mr Martin in the Chair. & Mr Manks asked leave of absence which was granted.

Ordered, that the Report of said Committee be then read

On Motion of Mr. Talbot the Papers making a part of the Report were ordered to be read.

On Motion of Mr Byrnes, Mr E. T. Clark was granted leave to appear before the Committee.

On Motion of Mr Magrath, ordered that Mr Manks have leave permission to appear before the Committee by his Attorney. And after some time spent therein, the Committee rose, & reported the Report of the Standing Committee on Elections, without amendments.

On Motion of Mr Clark, the House agreed to the Report of the Standing Committee on Elections, in which was agreed the petition of E. T. Clark

A Message from the Legislative Council by Mr Alexander

Mr Speaker I am instructed to ~~enquire whether it~~ inform Your Honourable Body that the Council have Amended the Resolution of your House, as communicated by Message Relative to the giving of a Bond for the Public Printing, by striking out the words "Exact on" in the 3rd line, and inserting the words "Receive the Bond of;" And in the 3rd and 4th lines, to strike out the words "and receive his bond," and insert the word "With," and in the 4th line, ~~to strike out the words "And accept his Bond" and~~ after the word "Proposals," insert the words "in the penal Sum of two thousand five hundred dollars." And the Council Request your Concurrence in the Amendment.

A Message from the Legislative Council, by Mr Sinclair

Mr Speaker I am instructed to inform your Honourable Body that the following Bills have been introduced into the Legislative Council, Viz;

A Bill to Repeal an Act Supplementary to an Act Regulating Elections; A Bill to divide the County of Clark; A Bill Supplementary to an Act establishing County Courts in this Territory; A Bill to divide Clark & Hamilton Counties; A Bill to Change the Mode of Assessment and Collecting the Revenue of the Territory.

On Motion of Mr Hudspeth, the House then adjourned.

House of Representatives, October 16th 1833

The House met pursuant to adjournment.

Mr. Clark presented a remonstrance from the Citizens of Hot Spring County, against the petition of sundry inhabitants of Pulaski County praying the Establishment of a new County [illegible] introduced on yesterday by Mr. Rutherford, which remonstrance was referred to the Committee to whom was referred said petition

Mr. Banks presented a petition of John Williams, of Phillips County, praying a remuneration for his services in apprehending & bringing to justice the body of William Lockhart for the Murder of James Selby.

The Committee on the judiciary to whom was referred the propriety of repealing the Sixty-Eighth Section of an act in Geyer's Digest, under the head of "Judicial proceedings," reported a Bill to be entitled "An act to Repeal an act requiring Sheriffs to expose lands for sale at no time other than during the setting of the Circuit Court of the respective Counties;" which was read a first time, & ordered to a second reading.

Mr. Thurmond asked and obtained leave to introduce a Bill to be entitled "An act supplementary to an act entitled an Act permanently to locate the seat of justice of the County of Chicot;" which was read a first time, & ordered to a second reading.

Mr. Bozzard from the Select Committee to enquire into the Expediency of Memorializing Congress for the purpose of opening a road from Murrell's Post office Louisiana to Miller Court House, reported a Memorial for that purpose, which was read a first time, & ordered to a second reading.

On Motion of Mr. Banks the following Resolution was adopted

Resolved that we deem it expedient that the taxes on at least 12 Head of Cattle and two head of horses and also the tax that is now paid on Cabbins & houses worth less than fifty dollars, shall be taken off, & the Committee on ways & means be instructed to take the same into Consideration with leave to report by Bill or otherwise.

Mr Clark asked and obtained leave to introduce a Bill, to be entitled An Act compelling the Treasurer of Hempstead County to pay over one-Eighth part of the Amount of Monies in the Treasury or that may due the Treasury on the 22nd day of October, 1828. Which was read a first time, & ordered to a Second Reading.

Mr. Hammond asked and obtained leave to introduce a Bill, to be Entitled An Act Supplementary to the Law now in force for the Collecting of Small debts; Which was read a first time, & ordered to a Second Reading.

On Motion of Mr. Sinnin the following Resolution was adopted; Resolved that there be a Select Committee appointed, to see if any Alteration be necessary in the time now allowed by Law for taking appeals on judgments Rendered before Justices of the Peace in this Territory, with leave to report by bill or otherwise. Whereupon, Messrs. Sinnin, Talbot, & Sutton were appointed said Committee.

Mr. Sutton asked and obtained leave to introduce a Bill, to be Entitled An Act to authorize Justices of the Peace to depositize a Constable in Certain Cases. Which was read a first time, & ordered to a Second Reading.

On Motion of Mr. Atkinson the Orders of the day were taken up.

Mr. Martin asked and obtained leave of absence for Mr. Buzzard until Saturday next.

On Motion of Mr. Clark the orders of the day were taken up. — The House then took up the Message Received from the Legislative Council on Yesterday in relation to the taking of Bond & Security from the Public Printer; Which was concurred in.

On Motion of Mr. Clark the House Resolved itself into Committee of the whole, Mr. Rutherford in the Chair,

On the Bill, to be entitled "An act Concerning punishment of Slaves for the Crime of larceny" the Committee then rose and reported the Bill with amendment.

On Motion of Mr Rectherford, the said Bill was recommitted to a Select Committee, Consisting of Messrs Rutherford, Taylor & Hammonds.

A Bill, to be Entitled "An act Supplementary to an act Authorizing Amzy Wilson to Erect a toll-bridge across the Palarm bayou, in Pulaski County" was read a third time, & passed the House, & ordered to be sent to the Legislative Council for their Concurrence.

Mr Martin asked and obtained leave to introduce a substitute to the Bill, to be Entitled An Act Supplementary to the several Laws now in force, Regulating the fiscal Concerns of the Territory, and the same was read and on Motion of Mr Byrd, it was Committed to the Committee of the Whole, & made the order of the Day for tomorrow.

A Message from the Legislative Council by Mr Sinclair.

Mr Speaker I am instructed to inform your Honorable body that the Memorials of the following tenor has been passed in this House, Viz: A Memorial to the Congress of the United States praying for the sum of $25,000 for the purpose of opening a road in the Western Borders of this Territory.

A Memorial to the President of the United States praying for the Removal of the Troops from Fort Gibson to the Western frontier of the Territory of Arkansas, which Memorials are herewith submitted to your Honorable body for Your Concurrence.

A Message from the Legislative Council by Mr Alexander.

Mr Speaker I am instructed to inform your Honorable body, that a Memorial to the Congress of the United States has passed the Legislative Council, & is herewith transmitted to your Honorable body for Your Concurrence. The House then adjourned.

House of Representatives. October 17th 1833.

The House met pursuant to adjournment.

The Memorial to the Congress of the United States, which passed the Legislative Council and was sent to the House of Representatives, for concurrence, on Yesterday, praying for the appropriation of the sum of $25,000 for the purpose of opening a road on the Western ~~Border~~ borders of this Territory, was read a first time; and, on Motion ~~to Rule~~ of Mr. Martin, the Rules of the House were dispensed with, and it was then ~~ordered to~~ read a second and third time by its title, and passed; and the Legislative Council were informed thereof.

The Memorial to the President of the United States, praying for the Removal of the Troops from Fort Gibson to the Western Frontier of the Territory of Arkansas, also a Memorial, praying of the United States an appropriation of $25,000 for opening a road from Strongs, St. Francis County, to Little Rock, after being read a first time, on Motion of Mr. Rutherford, ~~was read~~ the ~~Orders~~ of the ~~day~~ were dispensed with, and they were read a second & third time, & passed.

Mr. Whiteside presented the petition of sundry Citizens of Crawford County praying for a New County; which, on Motion, was referred to the Select Committee composed of Messrs. Whiteside, Martin, and Garrett.

Mr. Hammond presented a Memorial of sundry of the Citizens of Lawrence County, praying the Establishment of a new County; which, on his Motion, was referred to a ~~the~~ Select Committee composed of Messrs. Hammond, Magness & Burt.

On Motion of Mr. Hill, the following Resolution was adopted, Viz! Resolved, that the Committee on Memorials be instructed to inquire into the Expediency of asking from the United States, an appropriation to open the

Bayou Lyronge, so as to connect the Mississippi River with that of St Francis.

Mr Hammond asked and obtained leave of absence from the House.

On motion of Mr. Clark, the following Resolution was adopted Viz; Resolved, That a Select committee be appointed, for the purpose of Enquiring what alteration, if any, is necessary to be made in the mode of taking the Census of this Territory, with leave to report by Bill or otherwise; Whereupon, Messrs Clark, Hale & Stallcup were appointed said Committee.

Mr Rutherford asked and obtained leave to introduce a Bill, to be entitled An Act to dissolve the bonds of Matrimony between Marcia T. Cole, alias Marcia T. Stuart, & James Cole; Which, having been read a first time, on motion of Mr Rutherford ~~the House having dispensed with the Rule~~ was ordered to be read a second & third time, ~~& so read~~ & passed, and was sent to the Legislative Council for their Concurrence.

A Message was received from the Legislative Council by Mr Farrelly, ~~as follows, Mr Speaker, informing the Body that the Legislative Council had made Amendments as~~ as follows, Viz; Mr Speaker, I am instructed to inform Your honorable body that the Legislative Council have passed the Bill entitled An act Supplementary to an act passed at the last Session of the Legislature, authorizing Emzy Wilson to erect and keep a toll-bridge across the Salamo Bayou in Pulaski County, with sundry amendments which are herewith transmitted, and to which they ask the concurrence of the House of Representatives.

A Message was received from the Legislative Council by Mr. Elliott, as follows Viz; Mr Speaker, I am instructed to inform you Honorable body, that the following bills have been introduced into the Legislative Council, viz; A Bill to divide the County of Crittenden County; A Bill for the Relief of J. C. P. Tolleson; A Bill providing for the infliction of certain fines on persons vending or offering to vend the hides or meat of certain animals, without shewing or forthwith exhibiting the ears, ear-marks or brands; A Bill, to be entitled An act for the purpose

of building a jail in Jefferson County; A Bill supplementary to the several acts now in force in the Territory of Arkansas, Concerning roads and highways.

On Motion of Mr Rutherford, the Bill, to be entitled "An act supplementary to an act authorizing Emzy Wilson to erect and keep a Toll-bridge across the Palarm Bayou, in Pulaski County," (received by Mr Farrelly from the Legislative Council, with sundry amendments) was, with its several amendments, agreed to by the House.

Mr Byrnside introduced the following resolution which was rejected, Viz; "Resolved that there will be a Committee raised, to inquire into the expediency of introducing any more Bills on dissolving bonds of matrimony in this house."

On Motion of Mr Rutherford the order of the day were then taken up; Whereupon the House Resolved itself into a Committee of the whole, Mr Hodgett in the Chair, on the subject of a Bill Concerning the Summoning of Jurors; and after some time Spent thereon, On Motion of Mr Martin, the Committee rose, and reported the Bill with an amendment, which was to strike out the first section with the enacting Clause.

On Motion of Mr Whitson the House then adjourned.

House of Representatives. October 18th 1833.

The House met pursuant to adjournment.

A petition of William Shannon and Sundry other Citizens of Sevier County praying the privilege of Erecting a toll-bridge across the Cossicot River, was presented by Mr. Clark and was, on his motion, referred to a Select Committee consisting of Messrs Clark, Thurman and Hanks.

Mr. Shaw asked and obtained leave of absence for Mr. Burt during the day.

Mr. Hanks, from the Select Committee, to whom was referred the petition of John Williams, reported favorably to the Petitioner, by submitting a Bill, to be entitled "An act for the relief of John Williams" which was read a first time, & passed to a second reading.

Mr. Tucker asked and obtained leave to introduce a Bill, to be Entitled "An act supplementary to the several laws now in force in this Territory, defining the powers & duties of Justices of the Peace;" which was read a first time, & ordered to a second reading.

On motion of Mr Clark the Order of the day was taken up.

A Bill, to be entitled "an act to repeal the fifth section of an act entitled "An act for the division of Clark County" passed November the 2nd 1829," was, on motion of Mr. Clark referred to a Committee of the whole House, & made the Order of the day for tomorrow.

A Bill, to be entitled "An act to regulate the Tax on Merchandize in Arkansas Territory," was, on Motion of Mr Sandefer, referred to a committee of the whole House, & made the order of the day for tomorrow.

A Bill, to be entitled An act supplementary to the Law defining the Crime of Maiming was read a second time, on motion of Mr Rutledge and committed to Committee of the whole, & made the order of the day.

A Bill, to be entitled an act altering the mode of assessment in the Territory was read a second time, on motion of Mr Rutledge and committed to a Committee of the Whole, & made the order of the day for tomorrow.

A Bill, to be entitled An act supplementary to the several laws now in force regulating the fiscal Concerns of the Territory was read a second time, on motion of Mr Rutledge, seconded by Mr Morton, was committed to a Committee of the whole, & made the order of the day for Friday next. On motion of Mr Pyrnelle, the said order was laid on the table, and the act was made the order for tomorrow.

On motion of Mr Morton, leave of absence was granted to Mr Clute for fourteen days.

A Bill, to be Entitled An act for the relief of Benjamin F. Howard, Sheriff of Conway County, was read a second time, & made the order of the day for tomorrow.

A Bill, to be entitled An act supplementary to an act Entitled An act to locate the permanent seat of justice of the County of Lafayette, was read a second time; on motion of Mr Clark, was ordered to be Engrossed for a third reading on tomorrow.

A Bill, to be entitled An act to repeal in part an act to authorize the removal of the administration on the Estates of Joseph Jones & Joseph Kay Kendall, dec'd, to the Counties of Clark and Independence, was read a second time, and on motion of Mr Rutledge, was ordered to be Engrossed for a third reading on tomorrow.

A Communication from Emzy Wilson, auditor of Public accounts addressed to His Excellency Governor John Pope together with an accompanying document, shewing the state of the Territorial finance, was submitted to the House, and, on Motion of Mr Hubbard the Subject was Referred, together with the Letter and accompanying documents to the Committee appointed to examine the Auditors and Treasurers Books.

A Bill, to be Entitled An act to appoint Commissioners, and to levy a tax in the County of Jackson, for the purpose of building a jail in said County, was read a second time, and, on Motion of Mr Taylor, was committed to a Committee of the Whole, & made the order of the day for tomorrow.

A Bill, to be entitled An act to repeal an act requiring Sheriffs to expose Lands for Sale at no other time than during the Setting of the Circuit Court of their respective Counties, was read a Second time, & made the order of the day for tomorrow without Engrossment, on Motion of Mr Hubbard.

A Bill, to be Entitled ~~An act to~~ An act Supplementary to an act Entitled an act permanently to locate the Seat of Justice of the County of Chicot, was read a Second time, and, on Motion of Mr Thurmond, was ordered to be Engrossed for a third reading on tomorrow.

A Bill, to be entitled An Act to authorize Justices of the Peace to depute a Constable in Certain Cases, was read a second time, and, on Motion of Mr Lucken, was ordered to be Engrossed for a third reading on tomorrow.

A Bill, to be entitled An act Compelling the Treasurer of Hempstead County to pay over one Eighth part of the Amount of Moneys in the Treasury, & that may be due the Treasury of said County on the 2d Mo. of October, 1828,

was read a second time, and, on motion of Mr. Clark was ordered to be Engrossed, & made the order of the day for a myra reading tomorrow

A Bill, to be entitled An act supplementary to the law now in force for the Collection of Small debts, was read a second time, and, on motion of Mr. Clark, was committed to a Committee of the whole, & made the order of the day for monday next.

The Memorial presented by Mr. Buzzard, for ~~the~~ an appropriation ~~of a Claim~~ for a Mail Road beginning at Murrel's Post Office, La., on the Military Road leading from Washington to ~~Washington~~, in the County of Hempstead, by Conway Post-office, Ark. Ter., to Lafayette Post office, Lost Prairie Post office, and to the Post office at Millers C.H., was read a second time, and on motion of Mr. Martin, the Rules of the House were dispensed with, and it was read a third time and passed.

On Motion of Mr. Connelly, Mr. Dixon was added to the Committee on Enrollments.

On Motion of Mr. Hammond, Mr. Clarke was added to the Committee on the Petition from Laurence County, praying for the Establishment of a New County.

A Bill, to be entitled An act supplementary to the law defining the Crime of Maiming, * was taken up, agreeably to the order of the day, and, on motion of Mr. Shadrach, the House resolved itself into a Committee of the Whole, Mr. Tucker in the Chair; and after some time spent thereon, & on motion of Mr. Rutherford, the Committee rose & reported the Bill without amendment.

Mr Clark then moved that it be engrossed

and made the order of the day for a third reading on tomorrow.

On Motion of Mr. Rutherford the House then adjourned.

House of Representatives. Oct 19th 1833.

The House met pursuant to adjournment.

Mr Saylors from the Select Committee to whom was referred the Bill, to be entitled "An act for the punishment of Slaves guilty of the Crime of larceny" reported the same with amendments as a substitute for the original, and, being agreed to, it was accordingly read a first time; and ordered to a second reading. On motion of Mr Martin, it was Committed to a committee of the Whole, And made the order of the day for Monday next.

Mr Clark asked and obtained leave to introduce a Bill, to be entitled "An act to authorise William Shannon to erect and build a tole-bridge across the Coositat;" which was read a first time, & ordered to a Second reading.

On motion of Mr Ragan, Mr Burt obtained leave of absence from this House during this day.

Mr Magness asked and obtained leave to introduce a Bill, to be entitled "An act for the relief of the illegetimate Children of William Ross;" which was read a first time, and ordered to a second reading.

Mr Roberts offered the following Resolution, viz:

"Resolved, that the Resolution heretofore offered on the 15th of this instant, for the purpose of raising a Committee for the purpose of designating the North-Western boundary line of Conway and Pope, be rescinded;" which was adopted.

Mr Stillwell offered the following Resolution, viz:

"Resolved, that the Committee on the Judiciary be instructed to enquire into the Expediency of allowing Magistrates Compensation for their services while transacting the business of the County Courts, to be paid out of the

County treasury, and report by Bill or otherwise" which was rejected.

Mr Ragan asked and obtained leave to introduce a Bill, to be entitled "An act to amend the 17th Section of the Small debt law," which was read a first time, and on motion of Mr Studdifet to reject the further reading of the Bill, it was accordingly rejected by the House.

Mr Roberts from the Select committe to whom was referred a Bill, to be entitled "An act more particularly to define the North-western boundary of Conway & Pope Counties," reported the Bill without amendment; and, On motion that the rules of the House be dispensed with, it was read a Second and third time and passed.

On motion of Mr Studdifet, the orders of the day were taken up.

A Bill, to be entitled "An act Compelling the ~~County~~ Treasurer of Mempistead County to pay over one Eighth part of the amount of Monies in the Treasury, or that was due the Treasury of said County on the 22nd day of October, 1828," was read a third time, and passed.

A Bill, to be Entitled "An act to authorize justices of the Peace to depute a Constable in certain Cases," was read a third time and passed; And, on motion of Mr Studdifet, the words "A Bill, to be entitled," were Stricken out, so as thereby to Change the Bill to an act.

A Bill, to be entitled "An act Supplementary to an act permanently to locate the Seat of justice of the County of Chicot," was read a third time & passed, & ~~the~~ the Bill was Changed to an act, by Striking out the words "a Bill, to be Entitled," in accordance with the Motion of Mr Thurmond.

A Bill, to be entitled "An act supplementary to the law defining the Crime of maiming," was Read a third time, and passed; and, on Motion of Mr. Martin, the title of the Bill was Changed from a Bill to that of an act, by Striking out the words "A bill to be entitled".

On Motion of Mr. Martin, the second Section of the Engrossed Bill to be entitled "An act to repeal in part an act Entitled "An act to authorize the removal of the Administrations on the Estates of Joseph Jones & Joseph Keybundell, deceased, to the Counties of Clark and Independence, approved the 27th October, 1831, and for other purposes," was stricken out, and the Bill was then ordered to be reingrossed for a third reading on Monday next.

A Bill to be Entitled "An act supplementary to an act Entitled "An act to locate the permanent Seat of justice in the County of Lafayette," was Read a third time and passed; & on Motion of Mr. Clark, the title of the Bill was Changed from a Bill to that of an act, by Striking out the words "A bill to be entitled":

A Bill to be Entitled "An act to repeal an act requiring Sheriffs to expose Lands for sale at no time other than during the Sitting of the Circuit Court of the respective Counties" was Read a Second time, and on Motion of Mr. Clark was ordered to be Committed to a Committee of the Whole, & made the Order of the day for Monday next.

On Motion of Mr. Martin the following Resolution was adopted:— Resolved, that the Committee on ways and means be instructed to Enquire into the Inexpediency of passing a law taxing the Branch Bank of the Bank of Baltimore, or Loan-Office, as

it is termed, which is now established in the Town of Little Rock; & to tax any and Every Branch or Branches of any Bank or Banks, of any of the United States, which may be located in the Territory, the United States Bank and its Branches excepted."

On Motion of Mr Tucker, Mr Martin and Mr Hudspeth were added to the Committee of ways and means

On Motion of Mr Martin, Mr Tucker was added to the Judiciary Committee.

On Motion of Mr Hudspeth, the House Resolved itself into a Committee of the whole on the Bill to be Entitled "An Act to Appoint Commissioners, & to levy a tax in the County of Jackson, for the purpose of building a jail in said County" Mr Byrnside in the Chair; and after some time spent thereon, on Motion of Mr Tucker the Committee rose & reported the Bill with Amendments, which were concurred in by the House.

On Motion of Mr Hudspeth, the Bill was then ordered to be Engrossed for a third reading on Monday next.

A Bill, to be Entitled An act supplementary to ~~An act~~ the Penal laws relating now in force ~~regulating~~ to the fiscal Concerns of the Territory," was read a third time and, on Motion of Mr Martin, it was ordered to lie on the table.

A Bill to be Entitled "An act for the relief of B. F. Howard, Sheriff of Conway County," was read a third time; and, on Motion of Mr Coburn, ~~to dispense with the rules~~

it was passed & the title changed from a Bill to that of an act.

A Bill, to be entitled An act altering the mode of assessment in this Territory, was read a third time, and, On Motion of Mr Martin, was ordered to be laid on the table till Monday next.

On Motion of Mr Mudgett, the House resolved itself into a Committee of the Whole, Mr Magness in the Chair, on the Bill, to be entitled an act to regulate the tax on Merchandize in Arkansas Territory, and after some time spent thereon, ~~On motion of Mr Wilson~~, the Committee rose, reported progress and asked leave to sit again; Whereupon, on motion of Mr Rutherford, leave was granted for them to sit again on tuesday next.

A Message from the Legislative Council, by Mr Farrelly, was received, as follows

Mr Speaker, — I am instructed to inform your Honorable Body that the Legislative Council have passed a Bill for the relief of J. B. P. Tolleson, which is herewith transmitted, — And your Concurrence requested therein; Also, a Bill has been introduced into the Council, entitled an act to erect & establish the County of Van-Buren; Also, the following Memorials have passed the Council: A Memorial to the Congress of the U. S. to open a Road from Jackson, Lawrence Co, to Fort Smith; A Memorial to the Congress of the U. S. to open a Road from Strong's in St Francis Co, via Litchfield, to Batesville; Memorial to the Congress of the U. S. asking a reduction in the price of the public Lands, and requesting that certain lands be given up to the disposal of the Legislature of the Territory which are herewith transmitted & your concurrence requested thereto.

On Motion of Mr Sevier, the House then adjourned.

House of Representatives.

Monday, October 21st 1833.

The House met pursuant to adjournment.

A Bill to be entitled "An act for the relief of John C. P. Tollison" which passed the Legislative Council, was read a first time and passed to a second reading.

The following Message from the Legislative Council was received by Mr Beam

Mr. Speaker,

I am instructed to request your Honourable body to transmit to the Legislative Council, the sealed proposals of Wm E. Woodruff & C. P. Bertrand for the purpose of printing made to the joint Committee on that subject, in order that they may be opened on their Journals. I am also instructed to inform you that the following Bills have passed the Council, & are herewith transmitted for your concurrence; Viz. "A Bill, to be entitled "An act to divide the County of Izard," and that a bill, to be entitled an act to erect and establish the County of Van Buren has been introduced into the Council, & passed its first reading.

A Memorial to the Congress of the U. S., which has passed the Legislative Council, praying for an appropriation to open a road from Jackson Lawrence Co., to Fort Smith, was read a first time, and passed to a second reading.

A Memorial to the Congress of the United States for an appropriation for a road from Strongs, via Litchfield, to Batesville, which has passed the Legislative Council, was read a first time and ordered to a second reading.

A Memorial to the Congress of the U. S., asking a reduction in the price of public lands, & requesting that certain lands be given up to the disposal of the Legislature

of the Territory, which passed the Legislative Council was read a first time, and ordered to a second reading.

An act from the Legislative Council, for the purpose of building a jail in the County of Jefferson which passed a third reading in that body, was read a first time in this House, & passed to a second reading.

An act to divide the County of Izard, passed the Legislative Council, was read a first time in this House and ordered to a second reading.

Mr. Finnian, from the Select Committee to whom was referred the petition of sundry citizens of Pulaski, Jackson & Independence Counties, praying for a new County, to be composed of a part of the aforesaid Counties, reported unfavorably to the measure proposed by said petition, which report was agreed to by the House.

Mr. Finnian, from the Committee to whom was referred the propriety of making further provisions for administering oaths to Commissioned officers of the Territory, reported a Bill, to be entitled An act supplementary to an act establishing County Courts, which bill was read a first time, and ordered to a second reading.

A Bill, to be entitled An act further regulating the proceedings of the Commissioners of the Court House & Jail for the County of Lawrence, was read a first time, & passed to a second reading.

A Bill, to be entitled an act to repeal an act entitled an act to repeal a part of the second and the whole of the third section of an act to disprefs the practice of dueling, and for other purposes, was read a first time; & on motion of Mr. Martin to reject the further reading of the bill, it was so ordered by the House

a Bill, to be entitled "An act to repeal in part an act entitled an act to authorize the removal of the Administration on the Estates of Joseph James & Joseph Reykendall, deceased, to the Counties of Clark and Independence" having been Engrossed according to order, was read a third time and passed.

Mr. Rutherford, from the ~~Select~~ committee ~~to whom~~ on Memorials, introduced a Memorial to Congress, praying an appropriation for the opening of a road from Paraclifta, by Washington, and Cote de Fabre, to Columbia, in Chicot County, which was read a first time, & ~~passed to a second reading~~ on motion of Mr. Clark, the rules of the House were dispensed with, and the Memorial was then read a second and third time, & passed.

a Bill, to be entitled "An act dissolving the bonds of matrimony between Wm. L. Barnett & Elizabeth Barnett, was read a first time, and ordered to a second reading.

The following Message was received from the Legislature Council by Mr. Sinclair,

"Mr. Speaker, I am instructed to inform your Honorable Body, that the Resolution and Circular accompanying this message has passed the Legislative Council, and is herewith transmitted for your Concurrence."

The Resolution & Circular were then read, and ordered to lie on the table.

On motion of Mr. Garrett the following Resolutions were adopted: — Resolved, that there be a Select Committee raised for the purpose of Examining the Stray-law of this Territory, to see

if there be any defect therein, & if any, to report the Bill or otherwise. Whereupon, Messrs Garrett, Tucker & Roberts, were appointed that Committee.

Mr Bird asks and obtains leave to introduce a Bill, to be entitled "An act concerning Appeals," which was read a first time, & on motion of Mr Martin, to reject the further reading thereof, the question was taken by Ayes & Nays as follows;— Those who voted in the affirmative were ~~Messrs Alexander, Bryan, Boyd, Beall~~ Messrs Boggs, Martin, Talbot, Tinnen — 4.

Those who voted in the negative were Alexander, Bryan, Bird, Byrd, Burt, Clarke, Dixon, Garrett, Hodgett, Hanks, Magruder, Ragan, Roberts, Rutherford, Saylor, Shaw, Stillwell, Tucker & ~~Wm~~ Mr Speaker — 18.

So the Motion to reject was lost, and, the Title was ordered to a Second Reading.

The Engrossed Bill, to be Entitled "an act to appoint Commissioners, and to levy a tax for the purpose of building a jail in the County of Dickson," was read a third time, and passed; the title of a bill having been changed to that of an act by striking out the words "a Bill to be Entitled."

A Bill, to be entitled "An act altering the mode of assessment ~~now~~ in this Territory," was Committed to a Committee on the Whole, on motion of Mr Clarke, & made the order of the day for tomorrow.

A Bill, to be Entitled "An act supplementary to the law now in force for the collecting of small debts," was ~~on~~ committed to ~~the~~ a Committee of the Whole, according to order, Mr Alexander in the Chair, and after some time spent therein, the Committee rose and reported the same without amendment. Whereupon, on motion of Mr Byrd, it was ordered to a third Reading without Engrossment.

On Motion of Mr Rutherford, the House resolved itself into a Committee of the whole, Mr Byrd in the Chair, on a Bill, to be entitled "An act to repeal an act requiring Sheriffs to expose Lands for sale at no time other than during the Sitting of the Circuit Court of their respective Counties;" and after some time spent thereon, the Committee rose & reported some Amendments, which were agreed to by the House, and,

On Motion, the Bill was ordered to be engrossed, and read a third time.

A Bill, to be entitled "An act to punish Slaves for the Crime of larceny" was committed to a Committee of the whole, on motion of Mr Taylor, Mr Ragan in the Chair; and, after some time spent thereon, the Committee rose, & reported several Amendments, which were agreed to by the House; and, on motion of Mr Hanks, the bill, as amended, was committed to a Special Committee, Composed of Messrs Hanks, Martin & Byrd.

On Motion of Mr. Hanks the House then adjourned.

House of Representatives October 22nd 1853.

The House met pursuant to adjournment.

Mr Ragan asked and obtained leave of absence for Mr Garrett for to-day, which was granted. —

Mr Byrd, from the Joint committee on Enrollments, reported that they have examined the following Memorials and found the same to be correctly enrolled, viz! —

A Memorial to the Congress of the United States praying for the sum of $25 000, for the purpose of opening a road on the Western border of the Territory of Arkansas. —

A Memorial to the President of the United States praying for the removal of the troops from Fort Gibson to the boundary line of the Territory of Arkansas

A Memorial to the Congress of the United States, praying for the sum of $25.000, to finish the road from Grange, in St Francis County, to Little Rock

Also

An Act in Amendment of an act passed at the last legislature, Authorizing Ensey Wilson to erect and keep a toll bridge across Balarm Bayou, in Pulaski County, —

Mr Rutherford)

From the Standing Committee on Memorials reported, + that the Committee on memorials to whom was referred sundry resolutions of the House of Representatives, according to order, have had the same under consideration + beg leave to submit the following subject for the consideration of the House viz Asking an appropriation to-

remove the obstructions to the navigation of Rock River.—

Mr Black, from the Standing Committee on Memorials, reported a Memorial praying for an appropriation to remove the dams in Rock River, which on his motion the rules of the House was dispensed with, and it was read a second & third time, and passed.—

Mr Hammond, from the Select Committee to whom was referred the petition of sundry citizens of Lawrence County, praying for a new County, reported a Bill to be entitled an act to divide the County of Lawrence, which was read a 1st time, and ordered to a second reading.—

Mr Timmon, from the Select Committee, Report that your Committee, to whom was referred the Law now in force on taking appeals on Judgments Rendered before Justices of the Peace, have had the same under Consideration, & beg leave to report the following bill, (Viz)

A Bill, entitled an act Amendatory to the several laws now in force in this Territory, relative to appeals, which was read a 1st time, & ordered to a 2nd read

Mr Byrnside, from the Select Committee to whom was referred the resolution to inquire into the expediency of appointing Commissioners of the County of Washington, to lay out the Town of Fayetteville, Ark, Report, that they have had the same under Consideration, & beg leave to report a bill of the following title:

A Bill to be entitled an act, permanently to locate the seat of Justice of Washington County and for other purposes; which was read a 1st 2nd. and 3rd time, & passed.—

Mr Tuckey from the select committee appointed to examine the law regulating officers' fees in this Territory, have had the same under consideration, & beg leave to introduce a Bill, to be entitled an act to regulate the fees of Justices of the Peace & Constables; which was read a first time, & passed to a second reading.—

On Motion of Mr Byrd, L. E. Graham was permitted to come within the bar of the House for the purpose of extracting from the Journals, for publication.—

Mr Roberts

asked and obtained leave to introduce a Bill, to be entitled an act to legitimatize the Children of Nicholas Doherty; which was read a 1st time, and ordered to a 2d reading

Mr Roberts asked and obtained leave to introduce a Bill, to be entitled an act to legitimatize the Children of Johnston Laferty, which was read a 1st time, & ordered to a 2nd reading

Mr Clarke, from the Standing Committee on Memorials

Reported a Memorial praying an appropriation donation of land to every actual Settler on the Western frontier; Read a 1st time, & ordered to a second reading.—

Mr Rutherford moved to take up the order of the day which was agreed to.—

A Bill, to be entitled an act altering the mode of assessment in this Territory; and, on motion of Mr Hinds [illegible] the House

Resolved itself into a Committee of the whole Mr Taylor in the Chair; And after some time spent therein the Committee rose & reported the Bill with ~~the~~ Amendment, to strike out all after the enacting clause; and

On Motion of Mr Martin, it was referd to a select Committee, (Capt. Mylar, Martin, Hardgrove Tinnin, Dixon & Taylor)

A Bill, to be entitled an act to repeal the fifth section of an Act for the Division of Clark County, passed 2nd Nov; 1825; and,

On Motion of Mr Clark, the House resolved itself into Committee of the whole, Mr Hammond in the Chair; And after some time spent therein the Committee rose and reported the Bill with the amendment, to strike out all after the enacting clause. Which was adopted.

Message From Legislative Council, by Mr Smith & Mr Speaker

I am instructed to inform your honorable body, that the following bills have been introduced into the Legislative Council; — A Bill entitled an act to define the boundaries of Hot Spring County; A Bill, supplementary to an act entitled an act permanently to locate the Seat of Justice of Union County; A Bill to be entitled an act to exempt certain persons from paying a personal tax and for other purposes; An act to protect slaves from inhuman and cruel treatment by their Masters; A Bill for the better selecting of School Lands, provided for under an

act of Congress, 20th May, 1826; Also a Memorial praying Congress to give to assignees of the original patentees of Military bounty Lands, the right to float their Claims & locate other Lands, also a Bill to define the boundaries of Sevier County.

A Bill for the collection of small debts, was read a second & third time, passed, & sent to the L. C. for concurrence.—

A Bill, to be entitled an act to regulate the tax on merchandize in Arkansas Territory, was read, and on Motion of Mr Clarke, The House resolved itself into Committee of whole, Mr Mayrant in the Chair, and after remaining sometime therein, Rose and reported the Bill as amended, striking out the first section with the enacting clause.

A Message from the Legislative Council by Mr. Smith:

Mr. Speaker,

I am instructed to inform your Honorable Body, that the message & accompanying documents have been received from his excellency the Governr. by the Legislative Council, & that a Committee has been appointed on that subject on the part of the Legislative Council, & your honorable body are requested to raise a Committee to act jointly with that Committee, to whom said message and documents have been referred by the Legislative Council. The Message & documents are herewith transmitted. I am also instructed to inform you that the bill to divide Crittenden County, has been read this time, & passed by the Legislative Council, and is herewith transmitted for your concurrence. And then On Motion of Mr Hanly, the House adjourned.

House of Representatives Oct 25th 1833.

The House met Pursuant to adjournment.—
The Message from the Governor, and accompanying documents in relation to the Seminary Lands, received on Yesterday from Legislative Council, was then read; and, On Motion of Mr Martin, it was referred to a Joint Committee; on the part of the House of Representatives Messrs Martin, Roberts, Rutherford, Clark, & Dixon, was appointed on the part of the House of Representatives.—

A Bill to be entitled an act to divide the County of Bentledium, was read a second time; and, on Motion of Mr Martin the rules of the House were dispensed with, and the bill was read a third time, & passed.

A Message from the Legislative Council by Mr. McKean.

Mr. Speaker

I am instructed to inform your Honorable Body, that Messrs Bean, Alexander, Smith, Donnally, Sinclair & Ficklin, have been appointed the Committee on the Seminary Lands, on the part of the Legislative Council. I am also instructed to inform you that the Bill declaring the bonds of matrimony between Marina J. Cole alias Marina J. Stuart, and her husband James Cole, has passed the Council with the title aforesaid, striking out the words "A Bill to be entitled", and also the bill to be entitled an act to erect & establish the County of Pike, has passed the Legislative Council, and also a Memorial praying the Congress of the U. States, for an appropriation for the purpose of Surveying the Mushkitt River; which are herewith transmitted to the House of Representatives for concurrence.

Report.

Mr. Martin, from the select committee, to whom was committed the petition of Sundry citizens of Pope & Crawford Counties, praying for a new county, made the following report:

The select committee appointed to take under Consideration the petitions from Pope & Crawford Counties, for a new county, have had the Same under consideration, & beg leave to report a Bill of the following title, to wit; A Bill to be entitled an act to erect & establish the County of Scott; which Bill, as reported, was read a first time; & on Motion of Mr. Martin the Rules of the House were dispensed with, & it was read a Second & third time & passed, after Striking out the word "A Bill to be entitled".

Mr. Stillwell asked and obtained leave to introduce a bill, to be entitled an act to call in the Scrip issued in the county of Arkansas; which was read a first time, & ordered to a Second reading —

A Bill entitled an act to divide Hempstead and Clark Counties, read a first time, and ordered to a Second reading.

A Memorial praying for an appropriation for the purpose of Surveying the Washita river, was read a first time; & on Motion of Mr. Clark, the rules were dispensed with, & it was read a Second time; And, on Motion of Mr. Clark, it was committed to the committee of the whole, & made the order of the day for tomorrow.

The House agreed to the amendment made by the Council, to the Bill entitled an act to dissolve the bonds of matrimony Between Marina J. Cole, alias Merino

J. Stuart, and her husband, James Cole.

Mr. Rutherford asked and obtained leave to introduce a bill to be entitled "an act to amend the several acts regulating the proceedings at Common Law" which was ordered to be laid on the table, thereupon, on Motion of Mr. Bynside, the Clerk was ordered to have fifty Copies of the said Bill printed for the use of the House.

On Motion of Mr. Byrd,

the orders of the Day were taken up.

No 20 A Bill, to be entitled an act to authorize a Bridge across the Cositah; which was read a Second time and ordered to be engrossed for a third reading.

No 21 A Bill entitled an act Supplementary to the Several laws now in force in this Territory, defining the powers and duties of Justices of the Peace, was read a Second time; and, on Motion of Mr. Byrd the word "twenty" was Stricken out and "fifty" inserted. Mr. Bogy moved to Strike out the word five & insert ten, which amendment was rejected — Mr. Martin then moved that the bill be committed to the Committee of the whole House, and made the order of the day for to-morrow, which was decided in the affirmative.

No 22. A Bill to be entitled an act for the relief of John Williams, was read a second time; and on Motion of Mr. Hawks was committed to a Committee of the whole House, & made the order of the day for tomorrow.

No 23. A Bill for the relief of the illegitimate children of William Ross. was read a Second time, & ordered to be engrossed for a third reading.

№24 A Bill, to be entitled an act supplementary to an act to establish County Courts, was read a second time; and, thereupon, Mr. Hudspeth moved that it be engrossed for a third reading.

№25. A Bill, to be entitled an act regulating the proceedings of the Commissioners of the Court House and Jail in the County of Lawrence, was read a second time; & on Motion of Mr. Hudspeth, it was ordered to be engrossed for a third reading.

№26 A Bill, to be entitled an act Concerning appeals from the Judgments of Justices of the Peace, was read the second time; and on Motion of Mr. Martin, it was ordered to be engrossed for a third reading.

"An act to divide the County of Grand" from the Council, was read a second time & Mr. Talbot moved that the bill be laid on the Table, which was decided in the affirmative Ayes 20, Noes 4.

Those who voted in the affirmative, were Messrs. Alexander. Bayne. Byrnside. Byrd. Burt. Clark. Dixon. Garrett. Hudspeth. Hammond. Hawks. Hogan. Roberts. Rutherford. Taylor. Shaw. Stillwell. Tucker. Talbot. Thurmond; and Mr. Speaker 20

& those who voted in the negative, were Messrs. Begg. Magness. Martin & Timmin 4.

Thereupon, the bill was laid on the Table until Friday next.

A Bill, to be entitled an act for the purpose of building a jail in the County of Jefferson, was read a second time; and on Motion of Mr. Rutherford, it was Committed to a Committee of the whole, & made the order of the day for tomorrow.

A Bill for the Relief of J. C. P. Tollison, was read a Second time; & on Motion of Mr. Hawks, it was Committed to a Committee of the whole, & made the order of the day for tomorrow.

A Memorial to the Congress of the United States, asking a reduction in the price of the public Lands, and representing that certain lands be given up to the disposal of the Legislature of the Territory, was read a Second time; & on Motion of Mr. Hudspeth, the Rules were dispensed with, and it was read a third time, & passed.

A Memorial to the Congress of the United States, for an appropriation of $20.000 for opening a road from Strongs, in St. Francis County, to Batesville, via Litchfield, Arkansas Territory, was read a Second time; and on motion of Mr. Magness, the Rules were dispensed with, & it was read a third time, & passed. —

A Memorial to the Congress of the United States, to open a road from Jackson, in Lawrence County, to Fort Smith, was read a Second time; Mr. Talbot moved to amend the memorial by striking out the words, "by the Seat of Justice of Izard & Washington Counties" and insert, in lieu thereof, &c. "the nearest best practicable route." Which amendment was decided in the negative; and, on motion of Mr. Hudspeth, the Rules were dispensed with, & the memorial was read a third time, & passed.

And on Motion of Mr. Clark the House then adjourned.

House of Representatives Oct 24th 1835.

The House met pursuant to adjournment.—
The Governor made a communication by his private Secretary John D Field (to wit:)

Mr Speaker

I have the honor to inform your honorable body, that the Governor did, on yesterday, approve and sign the following Memorials to the President and Congress of the United States; Rovzgwig.—
A Memorial to the President of the United States praying for the removal of the troops of the United States from Fort Gibson to Fort Smith, or some other more desirable point on the Arkansaw river, & within the bounds of the Territory

A Memorial to the Congress, praying for an appropriation of $25.000 for the purpose of making a Road, Commencing at Mills Court-House, on the South side of Red river; thence running about 20 Miles in a Course North-East, so as to Cross the river at or near the point where the Choctaw line strikes said river; thence running parallel to the said Choctaw line about 130 miles, so as to Cross the Arkansaw river at or near Fort Smith, and thence, still parallel with said Choctaw line, about 80 miles, so as to strike the Mesouri line State line, near the Southwest Corner of the State; making the whole length of said road 230 miles.

A Memorial to Congress, praying for an additional appropriation of $25.000 to Complete the Road between Memphis & Little Rock, from Shongs to Little Rock, & also an act passed at the last Session of the Legislature

Authorising Enoch Miller to erect and keep a toll-Bridge across Salarm Bayou in Pulaski Cty.

Message From L. Council by Mr McKean.

Mr Speaker

I am instructed to inform your Honorable body, that the following memorial has passed the Legislative Council, & is herewith transmitted for your concurrence:- A Memorial praying the Congress of the United States for an appropriation to remove the obstructions to the navigation of White and St Francis Rivers— Also, the following Memorials from the House of Representatives: A Memorial, praying an appropriation for the purpose of removing the obstructions in Red River; A Memorial, praying the Congress of the U States to open a Mail Road from Murrels, La., on the Military road leading from Natchitoches to Washington, Hempstead County, by Conway P. Office, to Lafayette P. Office, Lost-Prairie P. Office, to the Post-office at Mullenbergi Also, a Memorial praying for an appropriation for a road from Lewisburg, in Miller Cty, to Paraclifta in Sevier Cty, by way of Washington, Hempstead Cty and Cole's Ferry, to Columbia, in Chicot County, which is herewith transmitted.

Message from L. Council by Mr Jones:

Mr Speaker

I am instructed to inform your Honorable body, that the Council have concurred in the amendment proposed by the House of Representatives, in the bill to devise certain lands, and also that the following bills have been passed by the Council, & are herewith transmitted for your concurrence:— A Bill to dissolve the bonds of matrimony between certain persons:— A Bill from the House of Representatives, Entitled an

an Act supplementary to an Act permanently to locate the seat of Justice of the Ct. Cty.

A message from the Legislative Council by Mr. Ficklin

Mr. Speaker,

I am instructed to inform your honorable body, that the Legislative Council have received the Bond of William E. Woodruff with Security, for the performance of the Public printing, and approve of the same, which is herewith transmitted for your Concurrence, the Council have resolved that the Chairman of the joint committee on that Subject be instructed to deposit the said Bond in the Office of the Secretary of the Territory, & report the same to their respective Houses, & request your Concurrence. I am also instructed to inform you that the following memorials have passed the Council and are herewith transmitted for your Concurrence; a memorial praying for an appropriation for the purpose of cutting a Mail road from Batesville, Independence County, to intersect the national road from Jackson, Lawrence County, via Little Rock, to Washington, Hempstead County, in said Territory. also, a memorial praying the Congress of the U. States to open a road from Cote a Fabre, on the Washita, to Hot Springs, which are herewith transmitted for your Concurrence.

The memorial to the Congress of the United States praying for an appropriation for a road from Jonesboro, in Miller County, to Paraclifta in Severe County, by Washington, Hempstead County by Cote Fabra, to Columbia, in Union County, was then taken up, the House amended the amendment of the Council, and then agreed

to the amendment of the Council, as now amended by the House. Mr. Clark moved to reconsider the agreement of the House to the amendment made by the Council, which was decided in the affirmative. On motion of Mr. Clark, the House disagreed to the amendment made by the Council to the said memorial; and, thereupon, a Committee of conference was appointed, consisting of Messrs. Clark, Jinnin and Thurmond; and Mr. Clark was ordered to inform the Council thereof—

A Message from the Legislative Council by Mr. Alexander:

Mr. Speaker,

I am instructed to inform your Honorable Body that a memorial praying an appropriation to defray the expense of digesting the the laws of the Territory, has been passed by the Legislative Council, & is herewith transmitted for your concurrence.

Message from the Legislative Council by Mr. Clark:

Mr. Speaker,

I am instructed to inform your Honorable Body, that the following Bills have been introduced into the Legislative Council.

"A Bill to incorporate the Methodist Episcopal Church, & for other purposes." "A Bill to provide a mode to Contest elections in Arkansas Territory."

A memorial, from the Legislative Council, praying an appropriation of $250, to remove the obstructions to the navigation of White & St. Francis Rivers, was read a first time; & on Motion of Mr. Martin, the rules were dispensed with, & it was read a

Second & third time & passed.
A Message from the Legislative Council by
Mr. Smith,
Mr. Speaker.

I am instructed to inform your Honorable Body, that the Legislative Council insist on the amendment made by them to the Memorial praying for the establishment of a road from Jonesboro via Paraclifta Washington. One Habra to Columbia, & have appointed Messrs Clark M. Kean & Smith. a Committee to act in Conference with the Committee from the House of Representatives on that Subject.

A Bill from the Legislative Council to Divorce Sundry persons therein named, was then taken up, & read a first time — On Motion of Mr. Hudspeth the rules were dispensed with, & it was read a Second time, thereupon Mr. Burnside moved to lay the Bill on the Table for three years. which was decided in the negative Ayes 7. Noes 9.

On Motion of Mr. Hudspeth the Bill was Committed to a committee of the whole & made the order of today. the House then ~~resolved~~ went into Committee of the whole on Said Bill, Mr. Burt in the Chair. and having Spent Some time thereon, the Committee rose & reported the bill without amendment, thereupon on Motion of Mr. Clark the Bill was committed to a Select Committee of Messrs Clark, Hanks. Hill. Shaw. & Saylors —

A Memorial from the Legislative Council praying for an appropriation for a road from

Core Fabra to Hot Springs, was read a first time — & On Motion of Mr. Martin the Rules were dispensed with & Read a Second & third time, & passed.

Mr Hudspeth moved to amend a resolution of the Council requiring the Chairman of the Joint Committee & to deposite William E Woodruffs bond in the office of the Secretary of the Treasury, by striking out the word "Traders" and insert the word "Territory" which amendments was adopted.

A Memorial for a road from Batesville to intersect the National Road from Jackson Via Little Rock to Washington. Read 1st time & ordered to a 2nd Reading. —

A Memorial praying an appropriation of $5.000 to digest the laws of the Territory passed to 1st 2nd & 3rd reading & sent to the Council

Report.

Mr Martin from the joint Committee on seminary Lands, made the following report —

The Joint Com. on Seminary Lands, to whom the Message of the Governor of the 22nd Inst was referred. Report. That they have had same under consideration and are of opinion that it would be unwise & impolitic to make a sale of the 2a Sections now advertised, at the present, they therefore have come to the agreement to recommend to the Legislative Council & House of Representatives the adoption of a resolution hereunto subscribed, and ask leave to be discharged from the further consideration of the subject,

Resolved

That the Governor be requested to

suspend the sale of the 20 Sections of Seminary land, except so much of the same as may be necessary to defray the expences already incured in selecting it. & that it is the opinion of the Legislative Council & house of Representatives that the most advantageous sale that can be offered for the purpose of defraying the expences incurred would be to offer under the Proclamation of the Governor the nearest Section or Sections to Little Rock, or so much of the same as may be necessary to pay said expences in forty acre tracts.— which Report & resolution On motion of Mr Rutherford was laid on the table till tomorrow.

And on Motion of Mr Martin the orders of the day were then (read.) taken up

A Bill to be entitled an act to repeal an act requiring Sheriffs to expose land for sale at no other time than & then than during the setting of the circuit Courts of their respective Counties, was read a 3rd time & passed.

On Motion of Mr Hawks the Circular to be addressed to States & Territories were the Public Lands lie, recommending a reduction in the price of the same was then taken up, & read a 2nd. time, And on Motion of Mr Hawks the said resolution and circular was adopted. ayes 8. Nays 4.

On Motion Mr Rutherford the House then reconsidered the adoption of said resolution and Circular. And then on Motion of Mr Martin it was laid on the table

A Bill to be entitled an act to dissolve the bonds of Matrimony between William D Barnett & Elizabeth Barnett, was read a 2nd time and on motion of Mr Burt it was committed to committee of the whole & made the order of tomorrow.

A Bill to be entitled an act to Legitimate the Children of John S Lafferty. read a 2nd time & on Motion of Mr Roberts the rules of the House were dispensed with, and the bill was read a third time & passed.

A Bill to be entitled an act to Legitimate the Children of Nicholas Doherty read a 2 time & on Motion of Mr Roberts the rules were dispensed with and the bill read a third time & passed.

A Bill to be entitled an act to regulate the fees of Justices of the Peace and Constables, Read a 2nd time And on Motion of Mr Lucas it was Committed to Com. of the whole & made the order of the day for tomorrow

A Bill to be entitled an act amendatory to the several laws now in force in this Territory relative to appeals. Read a 2nd time & on motion of Mr Lemmon ordered to be engrossed & read a for a third reading tomorrow.

A Bill to be entitled an act to divide the County of Lawrence read a second time. & on Motion of Mr Rudolph it was ordered to lie on the table till tomorrow

A Memorial Praying for a donation of land, to actual settlers on the Western frontier, read a 2nd time & on motion of Mr Rutherford the Memorial was

committed to a Select Committee
of Messrs Clark, Rutherford & Bogy
and on Motion of Mr Hanks
the House adjourned.

October 25th 1833.

The House met pursuant to adjournment

Mr Martin obtained leave of absence for ~~xxx~~ Roberts for Mr Roberts until Monday

Mr Hendricks asked leave of absence for Mr Hammonds until Monday — granted

Message from Legislative Council by Mr Boswell

Mr Speaker I am instructed to inform your Honorable body, that the Bill entitled an act permanently to locate the seat of Justice of Union County, has passed the Legislative Council & is herewith transmitted for your concurrence

An act permanently to locate the seat of Justice in Union County was read 1st time & ordered to a second reading. —

Mr Garrett presented the Petitions of sundry citizens of Pope & Gradyford Counties, praying for an alteration of Boundaries of Lake Counties Which on his motion was referred to a Select Committee Composed of Messrs Garrett Mott & Taylor

Mr Helvell presented the Petition of Malinda Eakles, ~~xxx~~ praying to be divorced from her Husband Elijah Eakles, which on his motion was referred to a Select Committee, Composed of Messrs Helvell Bragg & Hill. —

Mr Clark from the committee of conference to whom was referred the memorial to Congress praying an appropriation to open a road from Paradelia to Columbia the seat of Justice in Elliott County ~~xxx~~ have had the same under consideration & report that the Committee on the part of the Legislative Council & have agreed to recommend to this House to agree to the amendment made by the Legislative Council & to the two Houses the

following amendment to Wit:—
to strike out the word "to" in the 3rd line of said amendment, and insert in lieu thereof "by way of" and to strike out the words "by way of" in 8th line of said Memorial which report was agreed to

Mr Clark from the Select committee to whom was refered the bill to be entitled an act to dissolve the bonds of Matrimony between certain persons therein named, have had the same under consideration & are of the opinion that all the Cases therein contained, have strong claims on this Legislature for relief, it is therefore the opinion of your Committee that no amendment is necessary to said bill.—
Which report was agreed to.—

Mr Thurmond asked leave to introduce a Memorial On the subject of the ten Sections which was read a 1st time & ordered to 2nd read.

Mr Clark from the select Committee to whom was refered the Memorial to the Congress of the United States praying a donation of land to actual Settlers on our Western frontier have according to order had the same under Consideration are of opinion that the following amendments should be made to said Memorial, (to Wit) "who have or may remain for the term of five years" be inserted after the word Settlers in the 14th line of said Memorial.— which report was ordered to be engrossed for a third reading tomorrow.— and on Motion of Mr Byrnes the orders of the day were taken up.

A Bill from the Legislative Council entitled an act to divide the County of Izard, was taken up. and on Motion of Mr Linam was laid on the table till tomorrow.

A Bill to be entitled an act to call in the Scrip Issued in Hanover County, was read a 2nd & 3rd time and on Motion of Mr Byrnside the rules of the House was dispensed with, and it was read a third time and passed.—

A Memorial praying leave for an appropriation of $300. to survey the Washata River. was read & on Motion of Mr Burt the House resolved itself into Committee of whole, Mr Hanks in the Chair, and after some time Spent therein, the Committee rose and reported the Memorial with an amendment, which was agreed to by the House. and On Motion of Mr Blanks the Memorial was referred to a Select Committee Composed of Messrs Blanks Shaw & Burt—

A Bill entitled an act to build a bridge across the Cositat. was read a 3rd time & passed

A Bill entitled an act supplementary to several laws now in force defining the duties of Justices of the peace was read a 2nd time, & On Motion of Mr Byrnside the House resolved itself into Committee of the whole and after some time Spent Therein, the Committee rose and reported the bill back to the House without amendment, which was ordered to be engrossed for a third reading tomorrow

A Bill from Legislative Council to divide Liberty and Hempstead Counties, was read a second time, and On Motion of Mr Byrnside it was ordered to lay on the table until Thursday Next

A Bill for the relief of John Williams was read a was taken up. and on Motion of Mr Hanks the house resolved itself into a Committee of the whole on said bill Mr Garrett in the Chair & after some

time Spent Therein. The Committee rose and reported the bill back to the House with the amendments, viz, to fill the blanks in said bill with $200.00 which was agreed to by the House, and on Motion of Mr Hawks the rules of the House &c were dispensed with, and the bill read a 3rd time on its final passage.

Mr Symmes moved to adjourn which motion was lost.

On Mr Hudspeth's Motion, the bill, to be entitled an act to devide the County of Lawrence, was taken up, & Mr Hudspeth moved to amend the bill, which amendment was agreed to; and, on Motion of Mr Hudspeth the bill was ordered to be engrossed for a 3rd reading tomorrow.

A Bill, for the relief of the illegitimate Children of William Ross, was read a Third time and passed; & sent to L. Council for concurrence.

A Bill, entitled an act supplementary to an act to establish County Courts, was read a 3rd time, & passed, and sent to the L. Council for concurrence.

A Bill, entitled an act regulating the proceedings of the commissioners of the Court-House and Jail of Lawrence County, was read a 3rd time, and passed, and sent to L. Council for Concurrence.

A Bill, to be entitled an act concerning Appeals from Justices of the Peace, was taken up and read, & on Motion of Mr Byrd, the House resolved itself into a committee of the whole, Mr Zimmer in the Chair, and, after sometime Spent Therein, the committee

Rose and reported the Bill back to the House, with an amendment to strike out all after the enacting clause, which was agreed to by the House. On motion of Mr Byrnsides, the bill was referred to a select Committee, Composed of Messrs Byrnsides, Martin, Byrd, Hanby & Black. And, On Mr Hudspeths Motion, the House adjourned.

House of Representatives met pursuant to adjournment, Saturday October 26th. 1833.

Mr. Stillwell presented the petition of the Heirs of Christian Bringle; which, on his motion, was referred to a Select committee, & Messrs Stillwell, Hanks & Clark, were appointed to compose Said Committee.

Mr. Byrd from the joint committee on enrollments, made the following

Report:

The joint committee on enrollments, Report, that they have examined the following act & Memorials, and find the Same to be correctly enrolled.

An act to erect and establish the county of Mississippi. A memorial to the Congress of the United States, praying for an appropriation of $20,000 for opening a road from Stongs, in St. Francis county, to Batesville, via of Litchfield, A. T.;

A memorial for a road from Jackson, Lawrence County, to Fort Smith;

A memorial praying an appropriation to defray the expense of digesting the Laws of Arkansas Territory;

A memorial for a road from Cote à Fabre to Hot Springs.

Mr. Shaw, from the Select committee to whom was referred a memorial to Congress, praying an appropriation to Survey the Washita River, Reported an amendment to Said memorial, which was agreed to by the House, & Sent to the Council for concurrence.

Mr. Tucker asked & obtained leave to introduce a
No. 35 "Bill, to be entitled an act authorizing the redemption of lands Stricken off to the Territory for the want of Bidders;" which was read a first time & ordered to a second reading.

On Motion of Mr. Stillwell

Resolved,

That the regular hour of meeting for this House be 9 oclock in the morning, for the remaining part of the Session.

On Motion of Mr. Hanks, the orders of the day were then taken up.

"A Bill, entitled an act to build a jail in Jefferson County," was read a Second time; & then, on motion of Mr. Hudspeth, the House resolved itself into Committee of the whole, on said Bill, Mr. Hudspeth in the Chair; and after Some time Spent therein, the Committee rose and reported the bill back to the House without amendment, thereupon, on Motion of Mr. Hanks the Rules were dispensed with, & the bill was read a third time & passed.

"A Bill entitled an act for the relief of H. B. P. Tolleton," was read a Second time. The House then went into Committee of the whole on Said Bill, Mr. Clark in the Chair, & after Spending Some time therein, the Committee Rose, & reported the bill back to the House without amendment, thereupon, on Motion of Mr. Hanks the Rules were dispensed with, & the bill was read a third time & passed.

A memorial to the Congress of the United States, praying an appropriation for a road from Batesville to Washington, was read a Second time; & on Motion of Mr. Tucker, it was referred to a Select committee, consisting of Messrs. Tucker,

Martin & Rutherford.

"A Bill to be entitled an act to dissolve the bonds of Matrimony between Wm D. Barnett & Elizabeth Barnett," was read a third time; & thereupon, On Motion of Mr. Bynside, the House resolved itself into Committee of the whole on said Bill, & having Spent Some time therein, the Committee rose, & reported the bill back to the House, with two amendments, to wit:, in the Second Section to Strike out the words "Elizabeth Barnett," and, also, in the Same Section, to Strike out the word "they" & insert "he"; & the House agreed to Said amendments; &, On Motion of Mr. Magness, the bill was ordered to be engrossed for ~~a~~

On Motion of Mr. Martin,

The Bill to erect & establish the County of Carroll, was taken up; and, after undergoing Some amendments, On motion of Mr. Bynside, the rules were dispensed with, & the bill was read a third time, & passed.

No. 30 "A Bill, to be entitled an act to regulate the fees of Justices of the Peace & Constables," ~~was~~ ~~read~~ ~~a~~ ~~2d~~ ~~time~~ thereupon, the House resolved itself into Committee of the whole on Said Bill, Mr. Martin in the Chair, & after Some time Spent therein, the Committee Rose, & reported the bill back to the house, with an amendment to strike out all after the enacting clause, which amendment was agreed to by the House; On Motion of Mr. Martin, the Rules were dispensed with, & the bill read a third time; & the question being put on the final passage of the bill, it was decided in the negative. So the Bill was rejected.

№29 A Bill, entitled an act amendatory to the Several laws now in force in this Territory relative to ~~of~~ pleas, was read a third time and ~~lapsed~~ passed.

An act, permanently to locate the Seat of Justice of Union County, was read a Second time; & on motion of Mr. Rutherford, the Rules were dispensed with, & the bill was read a third time, & passed.

A Memorial upon the Subject of the Ten Sections of land, was read a Second time, & Mr. Burt moved to lay the memorial on the table until Tuesday, which was decided in the affirmative ~~Ayes 12 Noes~~

And then, on motion of Mr. Maguire the House adjourned.

House of Representatives Monday Octr 28th 1833.

The House met pursuant to adjournment

Mr Pickett from the Select Committee to whom was referred the Petition of Elijah Staples, reported a Bill to be entitled an Act to dissolve the bonds of matrimony between Elijah Staples & Elizabeth Staples, which was read a first time; & on motion of Mr Whiteomb the rules of the House were dispensed with, and the bill was read 2nd & 3rd time, & passed and sent to L. Council for concurrence. —

On motion of Mr Ragan the following resolution was adopted. —

Resolved

That the Committee on Militia be instructed to inquire into the expediency of memorializing Congress to pass a Law dividing the Territory of Arkansas into four Brigades, with one Brigadier General to each, and also one Major General for the Territory, with liberty to elect the aforesaid Officers, by vote of the field officers of their respective Brigades.

Mr Hamlin asked & obtained leave to introduce a Memorial for a road from Helena to intersect the Little Rock & Memphis road; which was read a first time, and ordered to a second reading; read, on his Motion, the rules of the House were dispensed with, & it was read a 2nd & 3rd time, & passed, & sent to L. Council for concurrence

Mr Stilwell asked and obtained leave to introduce a memorial asking an appropriation for a road from the mouth of the Arkansas river, to Mrs Black's which was read a first time, & on motion of Mr Watson, the rules were dispensed with, and it was read a 2nd & 3rd time & sent to L. Council for concurrence

Mr Linn ask and obtained leave to introduce a Memorial to Congress praying an appropriation to open a road from Batesville, by way of Pine Bayou, to Lyon's Court-House, which was read a 1st time. On his motion, the rules of the House were dispensed with, and the Memorial was read a 2nd & 3rd time, and passed & sent to L. Council for concurrence.

Mr Magness asked and obtained leave to introduce a Memorial to Congress, asking an appropriation for a road from Caldwell, through the Rich woods Settlements to intersect the Road from Little Rock to Cantonment Gibson, which was read a 1st time, & on his motion, the rules were dispensed with, and the Memorial was read a 2nd & 3rd time, and passed & sent to the L. Council for concurrence.

And on Motion of Mr Black the orders of the day were taken up.

A Bill

entitled an act to erect & establish the County of Clay was read a 3rd time & on the question shall the Bill pass, Mr Burk called for the yays & nays, which

were accordingly ordered, Those who voted in the affirmative were, Messrs Alexander, Byrd, Boggs, Blakely, Dixon, Garrett, Hudspeth, Hammonds, Hill, Hanks, Magness, Martin, Nagan, Rutherford, Saylors, Stillwell, Tucker, Talbot, Thurmond, Whitson, & Mr Speaker — 21. Those who voted in the negative were Messrs Bush, Shaw & Jemison. & the Bill passed, & was sent to the L. Council for concurrence. —

Mr Byrd, from the Committee on Enrolments made the following Report —

The Joint Committee on enrollments report that they have examined the following bills & Memorials, & find the same to be correctly enrolled, viz — An act for the relief of L. C. P. Colleton; an act for the purpose of building a jail in the County of Jefferson; A Memorial praying an appropriation, to remove the obstructions in the White & St. Francis Rivers. —

A Memorial praying a reduction in the Price of Public Lands — And that certain lands be given up to the disposal of the General Assembly; — A Memorial to the Congress of the United States, praying an appropriation to open & establish a road from

To Panchita, the seat of Justice in Lower County, by way of Washington, Hempstead County, by Col. Fabers The seat of Justice in Union County, and Columbia the seat of Justice in Calhoun County. —

A Memorial to the Senate & House of Representatives of the United States, praying for an appropriation to open a road, beginning at Murrells P. Office, Lay on the Military road

leading from Natchitoches to Washington in the County of Hempstead, by Conway Post office, A. T., to Post office, Lost Prairie Post office, and to the Post office at Miller Court-House; And an act to dissolve the Bonds of Matrimony between Marina Steele, Alias Marina Stuart, and James Steele; And, an Act, entitled an act supplementary to an act entitled an act permanently to Locate the Seat of Justice of the County of Chicot; And also a Memorial to the Congress of the U. States, praying an appropriation of $35,000 to remove the Rafts in Red River.

A Bill, entitled an act to divide the County of Lawrence was read a third time, & passed, and sent to L. Council for concurrence.—
Amended by striking out "a bill to be entitled," & inserting "an act to erect & establish the County of Izard"

A Memorial, asking a donation to actual settlers who have or may remain 5 years on or near the Western frontier, which was ordered to lay on the table till tomorrow

A Message from L. Council by Mr Caldwell Mr Speaker

I am instructed to inform your Honble Body That the following bills have been introduced into the Legislative Council (to wit.) An act Authorizing the Guardians of the Minor heirs of Joseph Vallier Dechantoine to sell land in State of Louisiana, Also a bill to be entitled an act for the relief of John Barnes, and also that they have agreed to the amendments to the bill entitled an act to divide the County of Izard, and that they have concurred in the amendment

Made by the H of R. to the Memorial praying for an appropriation for the purpose of dredging the Ouachita River

A Bill entitled an act supplementary to the several laws now in force in this Territory defining the powers & duties of Justices of the Peace read a 3rd time & passed & sent to the L. Council for concurrence.

A Bill to be entitled an act to dissolve the bonds of Matrimony, between certain persons herein after mentioned was read a 3rd time & on the question shall the bill pass Mr Talbot called for the yeas & nays which was accordingly ordered, those who voted in the affirmative were Messrs Byrd, Bragg, Clarke, Garrett, Hill, Hawkins, Magness, Rogan, Rutherford, Taylor, Shaw Stillwell, Sumner, Thurmond, Watson & Mr Speaker those who voted in the ~~affirmative~~ Negative Alexander Burt Dixon Hudspeth Hammond Martin Tucker Talbot 8 — So the bill passed & was sent to the L. Council for concurrence.

Mr Martin moved to take up the report of the Committee on Summary Laws, which was agreed to by the House.

And Thereupon Mr Rutherford asked & obtained leave to introduce a counter report from the minority of said committee as follows, (to wit) Report

Whereas Congress reserved from sale, or other appropriation 72 sections of land in this Territory for a Seminary of learning

Rutherford's report — to be erased

to be selected by the Secretary of the Treasury, which has been done by the present Governor of said Territory & his predecessors in office under the instructions of the Secretary aforesaid — This land was designated for an institution of learning to be established when Arkansas should become a State, unless, sooner done under the Authority of Congress, the title still remains in the U. States And whereas Congress with a view to benefit the people of this Territory, to elevate its character & respectability, invite emigration, and give an impetus to education, improve the Moral & intellectual condition of the people, as well as to save them the heavy expence of sending their children to distant Colleges to acquire a competent Education, did by an Act passed the 2nd day of March last authorising the Gov. of this Territory, to select 20 Sections of the 72 Sections, aforesaid & sell the same at public Auction. — The proceeds after deducting the charges of Selections, and the incidental expences to be paid over to the Treasury of the Territory & to be applyed under the authority of the General Assembly, to the erection of suitable Buildings for a Seminary of Learning, or a place to be designated by the Legislature of the Territory — And Whereas the Gov. pursuant to the Act aforesaid did select 20 S. and advertise them for sale in several public prints in may last since which time some of the lands offered for sale, are supposed to have been materially injured by the late freshet in the Arkansas River, and the prospect of selling a considerable portion of them at fair price, much impaired, A few Sections however below & near Little Rock

escaped the disastrous effects of the flood, and owing to the present state of improvement & prosperity of the Town of Little Rock & the demand for land in the neighborhood, It is believed that a few Sections near & below the Town will command a better price at this time, than for years to come, Most of these lands are covered with valuable timber, on which Continued & disastrous waste, and depredations are daily Committed without any power in the Public Authority of the Territory to check or prevent — It is evident also that if these lands are not speedily disposed of, that in a few years the timber will be entirely destroyed, & the value of the land greatly lessened — It is believed also that Congress are Correct, in supposing that it would be sound policy, at the present moment to lay the Corner Stone of a Literary Institution, which is destined to be, The Nursery of the future Statesmen & Lawyers of Arkansas — It is notorious, but few men in this Territory, are able to send their sons to Distant Colleges, the expenses of travelling from this remote region, to the seats of learning in the States, would impair if not exhaust the estates of the poor. whereas if an institution were located in the Territory many poor men could manage to have their sons educated, near immediately at home — Congress aware of our remote distance from good Colleges & the inability of the people to procure education, unless, placed within their reach, have kindly prepared to begin the good work in the heart of our Territory — ignorance it is well known has been the great, if not the only Cause of the slavery & degredation of man in every age

and in every nation and an enlightened people who know their rights cannot be kept in chains — With the progress of knowledge every where, the shackles of slavery disappear & how are the people to be informed without institutions of learning, Congress deeply impressed with the necessity affording to the humble settlers of this new Country, means for their intellectual improvement have authorized 20 S. of land to be sold, to commence the good work, leaving 52 S. to be disposed of by the legislator of the future State of Arkansas, every great work, and every great Nation, has had a small beginning Rome was not built in a day, and if we never begin the good work, it will never be accomplished — This act of Congress is for the general benefit, but more especially of men of humble fortunes, of unwealthy men here can send their sons to the states to be educated, but the great mass cannot, consequently, boys of the first genius & promise, must wither & dye, in obscurity for the want of, opportunity & improvement — in every state there is at least one or more Colleges & institutions where the highest branches of learning are taught, and other useful schools, diffused through the country, there may be good schools, but not a College or Seminary, in every City or neighbourhood in the country, every boy sent to a distant College carries with him a portion of money of the Territory, which otherwise would be saved by a Seminary — Once much money would be brought into the Territory by the youth of Louisianna, and other States, if an institution of learning were established here under promising auspices — Impressed with these views, a Minority of the Committee to whom

The Govr Message to Congress Concerning 2 S. of the Seminary land, was referd — beg leave respectfully to protest against the report & resolution of the Committee & offer the following resolutions, as a substitute for the one proposed by the Comt.

(1) Resolved that it is inexpedient to reject the boon offered by Congress for erecting buildings for a Seminary of learning

(2) Resolved that the General Assembly concur with the Govr in opinion that only so much of the Sections offered for sale as will command a fair price ought to be sold. —

(3) Resolved that it is good policy & the duty of this General Assembly in accordance with the proposed liberality of Congress to fix on & procure a site, for the buildings contemplated by the act authorizing the selection of the 2 Sections &c.

And on Motion of Mr Martin the Report & resolution of the Majority of the Committee was adopted by the House —

A Bill to be entitled an act authorizing the reclamption of lands, stricken off to the Territory for want of bidders was read a 2nd time & Motion of Mr Rutherford it was laid on the table —

And on Motion of Mr Hardy the House adjourned. ——

House of Representatives Tuesday 29th 1833.

The House met pursuant to adjournment

Message from L. Council by Mr Alexander

Mr Speaker

I am instructed to inform your Honorable body that the following Bills & Memorials have passed the Legislative Council and are herewith transmitted for your concurrence, A Bill to exempt certain persons from paying a personal tax & for other purposes, A Bill to define the ~~lines~~ ~~paying a personal~~ boundaries of Sevier County, A Memorial praying for a road from Adam Stroudz to Fort Smith, A memorial praying congress to give to the assignees of the original Patentees of Military Bounty Lands of the original Patents of Military Bounty Lands the right to float their claims, and locate other lands A memorial to congress for a donation to build a Penitentiary in the Territory of Arkansas.

A Memorial to congress from the L. Council praying an appropriation to build a Penitentiary in Arkansas Territory read a 1st time & ordered to 2nd reading.

A Memorial praying congress to give to assignees of the original Patentees of military bounty lands the right to float them & enter them on other lands, which was read a 1st time, and on motion of Mr Hadley the rules of the House were dispensed with, and it was read a 2nd & 3rd time and passed, & the L. Council was informed thereof.

A memorial from L. Council praying for an appropriation for a road from Adams Stroods to Fort Smith. Mr Underwood moved to strike out "Adam Stroud" and insert "Greenville, Clark Co. Ark" Mr. Clark moved to dispense with the rules of the House and it was read a 2nd. & 3rd. time & passed. —

A Message from L. Council by Mr St Clair.

Mr Speaker

I am instructed to inform your Honorable body, That the following Bills, originating in the House of Representatives, have passed the Legislature Council, with amendments; which Bills and Amendments are herewith transmitted for your considerations & concurrence, Viz:— An act to appoint Commissioners to levy a tax in the County of Jackson for the purpose of building a Jail in said County" "An act supplementary to the Law now in force for the collection of small debts" "An act compelling the Treasurer of Hempstead County to pay over one eighth part of the money in the Treasury &c." "An act supplementary to the law defining the crime of Maiming" "An act to erect & establish the County of Scott" "Also an act to repeal in part an act entitled an act to authorize the removal of the administration on the estates of Joseph Lanes & Joseph Huskendall, dec'd, to the Counties of Clark & Independence, approved 27th Oct 1835, and for other purposes," without amendment. —

Message From L. Council by Mr Calloway

Mr Speaker

I am instructed to inform your Honorable body, that the following Bills have been introduced into the L. Council, Viz: "A Bill, to be entitled an act for the relief of Lotin Barnes" "An act authorizing the Executors of the minor heirs of Joseph Valcour Chaubrine to sell Lands in the State of Louisiana" ———

A Bill, to authorise the election of officers in the County of Carroll and for other purposes; A Bill, to be entitled an act to repeal an act approved the 30th of October, 1835; A Bill, to be entitled An Act providing for the Attending Grand Jurors and witnesses & County for fees.

An act to define the boundaries of Lowe County was read a first time; Mr Clark moved to amend said bill, by striking out the word "Strike" in the 11th line, which was agreed to; & on his motion the rules of the House were dispensed with, & it was read 2nd & 3rd times on its final passage, & sent to the L Council

A Bill, to exempt certain persons from paying personal tax, & for other purposes, was read 1st time & ordered to 2nd reading

A Bill, to be entitled An act supplementary to the the law defining the crime of Maiming, was then taken up, and the amendment made in the Council was agreed to by the House.

A Bill

An Act compelling the Treasurer of Hancock County to pay over one 8th part of the monies in the Treasury of said County on the 22nd Oct, 1828, was read, & the amendment made in the Council was agreed to by the House.

An act supplementary to the laws now in force for the collection of small debts, was read, once the amendments made in the Council was agreed to by the House.

An act to appoint Commissioners to levy a tax in the County of Jackson, for the purpose of

Building a Jail in said County; was then taken up, and the amendments made in the Council was agreed to by the House.

An act to erect and establish the County of Scott, which was taken up, and the sundry amendments made by the Legislative Council was agreed to by the House of Representatives.

Mr Byrd asked and obtained leave to introduce the following Petition to Wit.

A Petition of the Guardian of the minor heirs of Robert Jones, deceased, to sell a certain tract of land in Pulaski County; which was read a 1st time, and ordered to a Select Committee of Messrs Byrd Rutherford & Shaw.

Mr Byrnides asked and obtained leave to introduce a bill, to be entitled an act to permit John McElhaney to sell, hawk & peddle merchandize, in this Territory; which bill was read a 1st time, & ordered to a 2nd reading. —

Mr Zinnen asked and obtained leave to introduce the following bill. to Wit.

An act to alter and establish the southern Boundary line of the County of Izard; which was read a 1st time, & ordered to a 2nd reading. —

Mr Clark asked & obtained leave to introduce the following bill to Wit;

A Bill, to be entitled an act supplementary to the several laws now in force regulating the mode of taking the Territorial Census; which was read a 1st time, & ordered to 2nd reading. —

Mr Byrd asked and obtained leave to introduce the following Bill, to wit:

A Bill to be entitled an act to authorize the Administration on the estate of John J. Gill & Isaac Allen, Deceased, to be removed to the County of Pulaski; which was read a 1st time, & ordered to a 2nd reading.

Mr Martin presented the following resolution which was adopted.

Resolved, That a committee be appointed on the part of this House, to act in conjunction with such Committee as may be appointed on the part of the Legislative Council, to examine a Digest of the Laws of this Territory; which have been prepared by Mr Campbell, of Independence County, which is now ready for the Press.

Mr Hanks asked and obtained leave to introduce a Bill, to be entitled an act supplementary to an act establishing the office of Prosecuting Attorney; which was read a 1st time, & ordered to 2nd reading.

Mr Burt asked leave to introduce the following Memorial to wit:

A Memorial, praying an appropriation to repair the United States road from the Missouri line to the Southern boundary of the Territory; which was read a 1st time; Thereon, on his motion the rules & order of the House were dispensed with, & the Memorial read a 2nd & 3rd time & passed.

Mr Byrd asked and obtained leave to introduce a the following bill to (wit.)

A Bill entitled an act amendatory and explanatory of the act entitled an act to define & fix the duties of Sheriffs and

Constables and for other purposes passed Nov. 7th 1831. Read a 1st time & ordered to 2nd reading.

Mr Thurmond asked and obtained leave to introduce a bill to be entitled an act to authorize the removal of the administration on the Estates of Isaac Pennington & A. G. Johnson Deceased, from the County of Union, to the County of Jefferson was read a 1st time and ordered to 2nd reading.—

Mr Burt moved to take up the order of the day

A Memorial upon the subject of the Cherokees was taken up, and read a third time, whereupon Mr Rutherford moved that it lay on the table until the fourth day of July next, And on Motion of Mr Martin the yeas & nays were ordered those who voted in the affirmative were, Messrs Alexander Byrnside Byrd. Burt Dixon Garrett Hedspeth Hammond Nazan Roberts Rutherford Saylor Shaw Tucker Talbot & Mr Speaker Wilson 16. Those who voted in the Negative are Messrs Bogey Buzzard Clarke Hill Hawks Magnis Martin Mitchell Tinnen Thurmond & Wilson 11 so the Memorial was postponed.—

A Memorial praying a donation of Lands to actual Settlers on the western frontier, passed the House of Representatives & sent to the L. Council.— and

Mr Rutherford moved to take up the Bill which was laid on the table, A Bill to be entitled an act to regulate the proceedings at common law, was read a 2nd time, and, on his motion it was ordered to a committee of the whole, & made the order of the day for tomorrow. and

On Motion of Mr Byrd the House adjourned

House of Representatives Wednesday Oct. 30th. 1833.—

The House met pursuant to adjournment.

Message from L. Council by Mr Bean.—

Mr President & Speaker

I am instructed to inform your honourable Body, that Legislative Council have concurred in the Resolution from the House of Representatives appointing a committee to examine the Seigniorial Propositions by Mr McCampbell, and have appointed a committee on their part, Messrs Sinclair, Fiellin, Moore Elliott & Ludlum, — I am also instructed to inform you that the following Resolution has been adopted by the Council, in which your concurrence is requested — Resolved, That no new bills be introduced into this House after Wednesday the 6th day of November next, & I am also instructed to inform you that the Council have adopted the report of the Committee on Summary Laws, & request your concurrence. ——

A communication was then read from Mr Cribbenden, Ad. &c. on Motion of Mr Chilson, it was referred to a Select committee of Messrs Chilson Dixon Burt, Saylors & Buzzard

Mr Speaker Message from L.C. by Mr Elliott

Mr Speaker — I am instructed to inform your Honorable Body, that the following Bills & Memorials had passed the Legislative Council which originated in the House of Representatives to wit, "An act to dissolve the bonds of matrimony between William D Barnett & Elizabeth Barnett" "An Act to dissolve the bonds of Matrimony between Elijah Staples & Milinda Staples" A Memorial for an appropriation for a road from Batesville to

Izard Courthouse, by Pine Bayou; A Memorial, to open a road from the Mouth of Arkansas to Mrs Blacks; A Memorial, praying for an appropriation to open a road from Helena, to intersect the Memphis & Little Rock road; A Memorial, for a road from Batesville, through the Rich Woods settlements, to intersect the the road from Littleton's to Cantonment Gibson; all of which are herewith transmitted.—

The question then occured on the request from Legislative Council, that no new bills be introduced into this House after Wednesday the 11th day of November next & Mr Martin moved to lay it on the table, which motion was lost & Mr Blackpeth moved to strike out the words "this House" and insert "either House" which motion was adopted

Mr Ragan, from the Select committee to whom was referred the subject of attachment laws, have had the same under consideration, and ask leave to report the following bill Ltd W.H.F

A Bill, to be entitled an act supplementary to the law on attachments. which was read a 1st time, and ordered to 2d. Reading.—

Mr Byrd from the joint Committee on enrolments, Reported that they have examined the following Memorials & acts, and have found the same to be correctly enrolled Ltd W.H.F

A Memorial, for an appropriation to remove the obstructions to the navigation of the Washitaw

A Memorial, for an appropriation to pay the expences of Digesting the laws of the Territory

A Memorial praying Congress to give to assignees of the original settlers & Militia Bounty lands, the right to float their Claims, & locate other lands— And

An Act entitled and act permanently to locate the seat of Justice in Union County. —

"An act to erect & establish the County of Pike, And an act to erect & establish the County of Carroll

Mr Tidwell, from the select committee to whom was referd the Petition of Christian Bringle, Reported an act authorising the heirs of Christian Bringle to sell Lands in Arkansas County; And, on his Motion, the Rules of the House were dispensed with and the Bill read a 2d. & 3rd. time, & passed, and sent to the L. Council, for concurrence. —

Mr Hanks, from the Select Committee to whom was referd the bill, to be entitled an act to punish Slaves for the Crime of Larceny

Beg leave to report that they have had the same under advisement & beg leave to recommend for the consideration of the House the accompaning Bill, & that they be discharged from all further labor on the subject

A Bill, to be entitled an act supplementary to an act to punish Slaves For the Crime of Larceny, was read a 1st time, and ordered to be Laid on the table untill tomorrow.

Message from the Legislative Council.

Mr Speaker

I am instructed to inform your honorable body, that the following Bills have been introduced into the Legislative council, Viz: A Bill, to regulate proceedings in Coverdas Chancery & the act authorising the Guardians of the minor heirs of Joseph Vuliare Dhambrian to sell Lands in the State of Louisiana; "An act to provide for the redemption of Lands stricken off to the Territory for non payment of Taxes; & A Bill for the relief of the legitimate heirs of Wm Murphree

Also a Memorial Praying for the establishment of a new land District, & the location of a land Office at Helena, Also an act to erect & establish the County of Van Buren, has passed the Council, & is herewith transmitted, for your concurrence.—

The Act to erect and establish the County of Van Buren, was from the Legislative Council, was then read a first time, & ordered to 2nd read.

Mr Martin offered a substitute to the bill regulating the Fiscal concerns of the Territory, & Mr Bertrand a Bill as a substitute for the original Bill, Regulating the Fiscal concerns of Territory was read a 1st time & the House then adopted it as a substitute for the original Bill, Mr Hanly moved to lay it on the table till Friday next which was adopted.—

Mr Whitson asked leave to introduce the following resolution

Resolved by the House of Representatives that Saturday the 16th day of November 1833 be and is hereby appointed as the day for the General Assembly of the Territory of Arkansas, to Adjourn sine die and that the concurrence of the Legislative Council be asked. which resolution was lost:

Mr Pittwell asked & obtained leave to introduce an act supplementary to the acts appointing Commissioners for building a Jail in Arkansas County

Mr Roberts asked and obtained leave to introduced the following resolution

Resolved that the memorial acted on by this House on yesterday the 29th of this instant-

on which the yeas & nays were taken & purporting to the following effect (viz). (A Memorial on the subject of the Ten Sections praying Congress to pass a law to prohibit the Location of the improvements of any person in this Territory by the Ten Section claims) and that the same be Spread on the Journals of this House. — Which Memorial is in the following words (viz)

To the Honorable the Senate & House of Representatives of the United States of America in Congress Assembled. —

The Memorial of the General Assembly of the Territory of Arkansas respectfully, Represents

* * * * * * * * * * * * That Whereas by an act of Congress approved 2nd March 1833. ten sections of land were granted to this Territory for the purpose of erecting a public Building at Little Rock, & by an act of Congress approved the 4th day July 1832. the known originally given to the Legislature of the Territory was transfered to the Gov. thereof Under and by virtue of which latter act, the Gov. of the Territory has proceeded to sell and Locate a Large portion of said ten sections as stated in his Message to your Memorialists of the eighth inst. The sales of the lands have been principally made to Capalists and Speculaters, in large quantities, & the locations have been made by the Gov. according to their wishes & discriptions of the land. — As by the acts of Congress relating to this donation no improvements or possessions of actual settlers were exempted from their locations, the purchasers have in many instances located those claims on the improvements & plantations of settlers, which being rendered valuable from the labor bestowed on them, presented Stronger inducements to speculations. & some instances very valuable & extensive plantations have been located, belonging to individuals, bona fide entitled to the preemption of the lands, at the minimum price, under the act of Congress approved the 29th May 1830, granting preemption to Settlers on public lands. Your memorialists would further represent, That many most of the locations aforesaid have

been made on such lands as have not been surveyed, or the surveys of which has not been approved of, which placed it entirely out of the power of the settler to mature his title to the land, under the last mentioned act, or the act supplementary thereto, approved the 14th July 1832. — The result has been to check & retard emigration to, & settlement on the Lands, & greatly to harrass those entitled to preemptions, who are now threatened to be turned out of their possessions, which they have improved, relying on the pledge of the Gen. Government, given in said act of 1830, that they should be secured in the preemption of the Land on which they resided — Confidence is inspired in those acts of the general Government originally intended to encourage emigration to our frontier & to protect the hardy settler in possession of his property which he has rendered valuable by his own labor — Speculators are indeed rendering the act of 1830. Void, by the latitude allowed them in locating those Claims — It should be remembered, that from the great delays in completing the surveys of the public lands in the Territory, many of our most enterprising, wealthy & valuable citizens have been under the necessity of residing on the public Lands as the Government has not yet enabled them to acquire title to it, — & also that they have not settled thereon for the purpose of committing depredations upon the public domain. It has ever been the policy & interest of the general Government to encourage & protect such settlers as disperse the natives, gloom of the wilderness — induce emigration & render the public property valuable — This policy of the Government is directly counteracted by the latitude permitted in the pretended location of the Sec. Section Claims

In as much as the locations of those claims are not suspected until the lands are legally surveyed, & the surveys approved of, your

Memorialist would respectfully ask that an act of Congress be passed prohibiting the location of any part of the Ten Section grant upon any lands, on which there may be a bona fide Pre-emption right, & declaring all such locations void, & protecting the locations by virtue of such claims on any land unproved, cultivated, & occupied by an actual settler, prior to the passage of the act, approved 4th July 1832 — That all locations on land surveyed, be declared void, & that no patent be allowed to issue, under or by virtue of the location of such claim until one year after a certified plat of the survey of the land shall be deposited in the proper Land office of the District in which the land is situated — So that Claimants under the acts aforesaid of 1830 & 32 may be secured in their rights & title under said acts —

Mr Thurmond introduced the following resolution Resolved That the Committee on Memorials be instructed to enquire into the expediency of Memorializing Congress for an appropriation to open a road from Columbia Maury County to the Hot Springs which resolution was lost — and.

On Mr Finnins motion the orders of the day were then taken up —

A Bill to be entitled an act to amend the several acts regulating proceedings in suits at Common law, Read a 2nd time — And on Motion of Mr Martin the Bill was deferred until tomorrow

A Bill to be entitled an act to authorise the removal of the ~~estate~~ administrations on the estate of John T. M Braden dec'd to the County of Pulaski was read a 2d time & on Mr Byrd motion the Bill was ordered to be engrossed for a 3rd read tomorrow

A Bill, to be entitled an act supplementary to the several laws now in force in this Territory regulating the mode of taking the Territorial Census, was read a 2nd time; & on Motion of Mr Clark it was ordered to be engrossed for a 3rd reading to morrow

A Bill, to be entitled an act to establish the southern Boundary line of Izard Cty. was read a 2nd time; & on Motion of Mr Linnon it was ordered to be engrossed for a 3rd. reading tomorrow

A Bill, entitled an act to permit John Mc Elhany to sell Dry & Grocery merchandize in the Territory, was read a 2nd. time; & on Motion, it was ordered to Committee of whole, and made the order of the day for tomorrow —

A Bill, to exempt certain persons from paying persons tax, and for other purposes, was read a 2nd time; & on Mr Bertz Motion, it was ordered to a committee of the whole, and made the order of the day for tomorrow. —

A Memorial, praying Congress to make a donation to Build a Penitentiary in the Territory of Arkansas, was read a 2nd time; & on Motion of Mr Byrd, the rules of the House were dispensed with, & it was read a 2nd & 3rd time & passed

A Bill, entitled an act amendatory & explanatory of the act entitled an act to define & prescribe the duties of Sheriffs & Constables, & for other purposes, was read a 2nd time; & on Mr Martins Motion, the Bill was ordered to Committee of the Whole, & made the order of the day for tomorrow —

Message From L. Council by Mr Caldwell

Mr Speaker

I am instructed to inform you

Your Honorable Body, That they have passed the following Bills, to Wit; An Act authorising the Guardians of the Minor heirs of Joseph Vallier Dehaubrive, to sell lands in the State of Louisiana; — An act to build a Bridge across the Cossitaty; — An Act regulating the proceedings of the Commissioners of the Court House & Jail of Lawrence County; + An Act to call in the scrip Issued in Arkansas County, — And ask your concurrence therein. ——

A Bill, to be entitled an act to authorize the removal of the Administration on the Estate of Isaac Pennington & A. G. Johnston, Deceased, from the Cty. of Union to the Cty of Jefferson, was read a 2nd. time; & on Motion of Mr Thurmond, it was ordered to be engrossed for a 3rd. read. tomorrow.

An act authorising the Guardians of the minor heirs of Joseph Valien Dehaubrive to sell lands in the State of Louisiana, was read a 1st time, & ordered to a 2nd reading. ——

Mr Wilson asked & obtained leave to introduce a Bill, entitled an act to dissolve the Bonds of Matrimony, between Jas. L. Anthony & his wife Ellen L. Anthony. The Petition & accompaning documents were then read; and, on Motion of Mr Hodgsetts, the Bill & Petition were ordered to a select Committee, Composed of Messrs Wilson, Hodgsetts, & Roberts.

A Bill, to be entitled an act to increase the salary of Prosecuting Attorneys, was Read a 2nd. time; & on Motion of Mr Rutherford, it was committed to Comt. of the whole, & made the Order of the day for tomorrow.

And on Motion of Mr Martin, the House adjourned. ——

House of Representatives Thursday Oct 31st 1833.

The House met pursuant to adjournment

Mr Hudspeth, from the Joint Committee to whom was referred the subject of stating & filing the laws for public printing & Reported that they had performed the same. —

Mr Byrd from the joint Committee on enrolments, Reported that they have examined the following acts & Memorials & find the same, to be correctly enrolled, to wit: — An act supplementary to the law defining the crime of Maiming; An act to repeal in part an act entitled an act to authorize the removal of the administrations on the estates of Joseph Lane & Joseph Hemphill dec'd, to the counties of Clark & Independence, approved the 27th Oct, 1831, and for other purposes; An act supplementary to the law now in force for the collection of small debts; An act compelling the Treasurer of Hempstead County to pay over one-eighth part of the amount of Money in the Treasury, or that were due the Treasury of said County on the 22nd day of Oct, 1828; An act to appoint Commissioners & levy a tax in the County of Jackson, for the purpose of building a Jail in said County. —

Mr Rutherford, from the select Committee to whom was referred the Memorial praying for a Road from Batesville, to intersect the national road from Jackson, Via Little Rock, to Washington, Hempstead County, Reported the Memorial with sundry amendments, which amendments was adopted by the House; and, on Motion of Mr Magness, the rules of the House were dispensed with, & the Memorial read a 3rd time, & passed; & sent to the Council, whence it originated

Mr Dagan asked leave of absence for Mr Garrett, for to-day; which was granted by the House

Mr Lemmon asked and obtained leave to introduce a Bill, to be entitled an act permanently to locate the seat of Justice for Izard County, & for other purposes; which was read a 1st time, & ordered to a 2nd Reading. —

Message from Legislative Council by Mr Tidwell

Mr Speaker

I am instructed to inform your Honorable body, that the following Bills originating in the House of Representatives, have passed the Legislative Council, & are herewith transmitted, viz: A Bill, to be entitled an act to legitimatize the children of John L Lafferty; An act for the relief of the illegitimate children of William Ross; Also, a Memorial to the Congress of the United States, praying for a donation of Land to Settlers on the western frontier. —

There has also passed the Legislative Council, A Bill, for the relief of the legal heirs of William Murphey; And a Memorial, praying the President of the United States to cause a Company of the United States dragoons to be stationed at or near Fort Towson, for the purpose of protecting the southern frontier; which are herewith transmitted; for your concurrence

Mr Roberts asked and obtained leave to introduce A Bill, to be entitled an act for the Relief of Mrs M. M. Hoopes; which read a 1st time, & ordered to a 2nd reading

A Memorial, praying the President of the U. S. to Station one Company of U. States dragoons at or near Fort Towson, for the protection of the Southern Frontier of the Territory, was read a 1st time; & on motion of Mr Lelarty, the Rules were dispensed with, & the Memorial read a 2nd & 3rd time, & passed the House of Representatives & sent to the L. Council from whence it originated. —

Mr Roberts asked leave to introduce the following resolution,

Resolved, that a select Committee be appointed to enquire into the expediency of remunerating James W. Robertson, appointed pro Tempore prosecuting attorney in the 2nd Judicial circuit, & that they be instructed to report by bill or otherwise. & which was Adopted; and, Thereupon Messrs Roberts, Whitson & Hammonds were appointed said Committee.

Mr Martin, asked leave to introduce the following bill; A Bill, to be entitled an act prohibiting Clerks from holding the office of Justice of the Peace; which was Read a 1st time & ordered to a 2nd reading. ——

An act to authorize the administration on the estate of John T. McGraith, deceased, to remove to the County of Pulaski, was Read a 3rd time, & passed the House of Representatives, & sent to L. C., for Concurrence

An Act supplementary to the several laws now in force regulating the Mode of taking the Territorial Census, — was read a 3rd time, & passed the H. of Representatives, & was sent to the L. Council, for Concurrence

An Act to alter and establish the southern Boundary line of Izard County, was Read a 3rd time, & passed the House of Representatives, & sent to the L. Council, for concurrence

A Bill, to be entitled an Act to increase the Salary of Prosecuting Attorneys, was taken up; & on motion of Mr Hanks, the House went into Committee of the whole, Mr Buzzard in the Chair; & after some time spent therein, they rose, & reported the bill to the House with an amendment, which was agreed to by the House; and, on motion of Mr Hanks, it was ordered to be engrossed for a 3rd read tomorrow. ——

An act to authorise the removal of the adminis tration of on the estates of Isaac Pennington & A. S. Johnsborn, deceased, from the County of Union to the County of Jefferson, was read a 3rd time, & passed, & sent to L. Council, for concurrence.

A Bill, entitled an act amendatory & explanatory of the acts entitled an act to define in part the duties of Sheriffs & constables, & for other purposes, was taken up, and on Motion of Mr Byrd, the House went into Committee of whole on said Bill, Mr Taylor in the Chair; and after some time spent therein, the Committee rose & reported the bill back to the House, without amendment, & the same was referred to a select committee of Messrs Martin, Rutherford & Hawks. —

A Bill, to exempt certain persons from paying a poor tax, and for other purposes, from Legislative Council, was then taken up; And, on Motion of Mr Taylor, the House resolved itself into a committee of the whole on said bill, Mr Whitson in the Chair; and after some time spent therein, the Committee rose, & reported the bill back to the House, with an amendment, strike out all the first section with the enacting clause; which amendment was agreed to by the House. —

A Bill, to be entitled an act to amend the several acts regulating proceedings in suits at common law, was taken up; And, on Motion of Mr Rutherford, the House resolved itself into Committee of the whole, Mr Clark in the Chair, on said bill; and after some time spent therein, the Committee rose, & the Speaker having resumed the Chair — Mr Clark reported that the Committee had according to order had under consideration said bill; that they had gone through the same, & had instructed him to report the same, without an amendment; and thereupon, On Motion of Mr Martin, the bill

was referred to a Select Committee, composed of Messrs. Martin, Rutherford, Shaw, Tuckett & Burt

Message From L. Council by Mr. Moor

Mr Speaker

I am instructed to inform your Honorable body, that the L. Council have passed a Memorial to the Congress of the U. S. for establishing a land-office at Helena, which is herewith transmitted for your consideration.

The Memorial praying for the formation of a new land District, & the location of a land-Office at Helena, was then read; and, on Mr Hanks Motion, the Rules of the house were dispensed with, & the Memorial read a 2nd & 3rd time, and passed the House of Representatives &c &

On Motion Mr Saylors, the House adjourned.

House of Representatives Friday November 1st 1833.

The House met pursuant adjournment.

Mr Stidwell presented a petition from James Smith praying a divorce from his wife; which was read, & on his motion it was referred to a select Committee composed of Messrs Stidwell, Buzzard, Hill & Whitson.

Message From L. Council, by Mr Heylmendal.

Mr Speaker

I am instructed to inform your honorable body, that the following Bills have been introduced into the Legislative Council, Viz: An act authorising the heirs of Christian Bringle to sell lands in Arkansas County; & A Bill, to be entitled an act to repeal an act to ascertain the debt due by the County of Phillips, between the counties of Phillips & Monroe. Also, the following Bills & Memorials have passed the Legislative Council, & are herewith sent for your concurrence, Viz: An act to erect & establish the County of Green, with amendments; An act to legitimize the children of Nicholas Doherty; A Bill, to be entitled an act for the relief of John Williams; An act supplementary to an act entitled an act, permanently to locate the seat of Justice of Lafayette County; Also, a Memorial praying an appropriation to repair the United States Road from the Cupboard line to the Southern boundary of the Territory, all of which originated in the House of Representatives & are herewith returned. —

An act for the relief of John Williams was then read, & on motion of Mr Hanly, the amendments made in L. Council was agreed to by the House of Representatives

An act to establish the county of Green, was then taken up, & the amendments made to the bill in the Council, was agreed to by the House. —

Mr Martin presented the petitions of sundry citizens of Crawford & Pope Counties, praying for a new City; which on his motion, was referred to a select Committee, consisting of Messrs Martin, Rector, Garrett, Magness and Roberts.

Mr Whitson from the select Committee to whom was refered Mr Crittenden's letter praying remuneration for services done & rendered for the Territory of Arkansas, as agent appointed by the General Assembly to Carry certain documents to the Congress of the United States of America, reportedly that, Believing from the evidence before us, as well as the petitioner, that Gov. Crittenden did perform said services, & has never received any compensations of this Territory, We therefore Ask Leave to Report the following Bill, which is herewith transmitted with the accompanying documents, and also, be discharged from any further duties on this Committee. —

Ordered The bill was then read & adopted by the House, &, On Mr Martins Motion, the rules were dispensed with, & the bill read a 2nd time; And, On his (Martin's) Motion, it was ordered to Committee of the whole, and made the order of the day for Monday next.

Mr Whilson from the select committee to whom was refered the Petition of L.B. Anthony, Praying a Divource from his wife Mary S Anthony, with the bill for that purpose, beg leave to report the same Bill without Amendment, and ask to be discharged from the further duties on this Committee.

A Bill, to be entitled an act to dissolve the bands of Matrimony between L.B. Anthony & Mary S. Anthony, was then read; and, on Motion of Mr Whilson, the rules of the House were dispensed with, & the bill read a 2nd. & 3rd time, & passed, & sent to L. C.

Message from L. Council by Mr Moor.

Mr Speaker

I am instructed to inform your honorable Body, that the following Bills & Memorials have passed the Legislative Council, namely, An Act for the relief of John Barnes, A Bill, to be entitled An act to authorize the election of officers in the City of Carroll & for other purposes, A Bill, for the better selecting Road lands, provided for under an act of Congress, of 20th of May, 1826, — A Bill, to be entitled an act providing the mode of conducting the election of all officers both civil & military, An act to be entitled, An act providing for the auditing Grand Jurors' accounts & witnesses' accounts for fees; Memorial for a National Road from the Seat of Govt. to near Baltimore, to run near Baddle Town, to the Ohio at or near Wheeling, & a memorial, praying an emendation of the laws in force respecting Land Sales, the entering of Land, &c., — & asks your concurrence

Mr Martin introduced the following resolution, which was adopted. Resolved, That the Joint committee appointed on the part of the House of Representatives, to examine the Digest performed by Mr McCampbell, have permission to sit on tomorrow during the sitting of the House. —

Mr Roberts, from the select committee to whom was referred the resolution to enquire into the expediency of remunerating James M Robinson, appointed Pro tem. Prosecuting attorney for the 2nd Judicial circuit, beg leave to report the following bill &c &c.

A Bill, to be entitled an act to compensate James M Robinson for services performed by him as Prosecuting attorney for the Jefferson, for the 2nd Judicial circuit

Read a 1st time, & passed to 2nd reading

Sess. 8 — ch. 57.

A Memorial from &c praying an amendation of the

Laws in force restricting land sales and the entering of Lands, was read a 1st time, & ordered to 2nd read.

A Memorial from L.C., praying an appropriation for a road from Hot Springs, to run near the Caddo corner, to the Choctaw line, in the direction to Fort Towson, was read, & Mr Blair offered an amendment which was agreed to by the House; And, On his Motion, the rules of the House were dispensed with, & the Memorial was read a 2nd & 3rd time, & passed, & sent L.C.

A Bill from the L.C., to be entitled an act providing for the auditing Grand Jurors' & witnesses' accounts for fees, was read a 1st time, & ordered to 2nd read.

A Bill from the L.C., to be entitled an act fronting out a mode of contesting elections of all offices, both civil & Military, was read a 1st time, & ordered to 2nd reading

A Bill from the Legislative Council, for the better selecting school lands provided for under an act of Congress, 2d of May, 1826, was read a 1st time, & ordered to a 2nd read.

A Bill, from L. C., to be entitled an act to authorize the election of officers in the County of Conway, was read a 1st time, & ordered to a 2nd reading.

An act for the relief of John Barnes, was read a 1st time, & ordered to a 2nd reading.

Mr Buzzard asked and obtained leave to introduce & A Bill, to be entitled an act to establish a Court House in the City of Lafayette, which was read a first time, & ordered to 2nd reading.

Mr Byrd, from the Committee on enrolments, Reported that they have examined the following Memorials & find them correctly

Enrolled: A Memorial to his excellency the President of the United States, praying that a company of the U. S. Dragoons be stationed at Cantonment Gibson;—

A Memorial for a donation to establish the Penitentiary System in Arkansas;—

A Memorial, for a road from Batesville, to intersect the National road from Jackson via Little Rock, to Washington, Hempstead County;—

A Memorial, for a road from Greenville, Clark County, to Fort Smith:—

An act to define the boundaries of Lovier County;

An act to call in the Scrip in Arkansas County;—

An act to dissolve the bonds of matrimony between Elijah Caples & Melinda Caples;

An act dissolving the bonds of matrimony between Wm. D Barnett & Elizabeth Barnett;

An act for the relief of the illegitimate Children of William Ash;

An act to authorise William Shannon to erect a toll-Bridge across the Cadron;

An act further regulating the proceedings of the Commissioners of the Court House & Jail for the County of Lawrence;

An act to Legitimate the Children of Lohn L Lafferty;

An act to erect & establish the City of Scott;

A Memorial for a road from Batesville through the rich wood settlement, to intersect to the road from Little Rock to Cantonment Gibson;

A memorial, for an appropriation for a road from Batesville to Lynn Prairie, Green County by Pine Bayou

A Memorial, praying an appropriation to open a road from Helena, A. T. to intersect the Memphis & Little Rock road;—

A Memorial, praying a donation of land to the Settlers on the Western frontier —

Mr Byrd introduced the following resolution
Resolved, That the L. Council be invited to attend in the Representative Hall, on Monday next, at the hour of 11 A.M., for the purpose of Electing Auditor, Treasurer & Justices of the peace, & c

Mr Clarke asked and obtained leave to introduce a Memorial, praying an appropriation of $5000 to repair the Military road from Washington to the Choctaw line, which was read a 1st time; And On his motion, the rules of the House were dispensed with, & the memorial read a 2nd & 3rd time, & passed, & sent L. C.

Mr Tuckin asked & obtained leave to introduce A Bill, to be entitled an Act supplementary to the several Laws now in force in this Territory, for leasing Lands reserved by Congress for common Schools in each Township in this Territory, was read a 1st time, & ordered to 2nd reading. —

An Act authorizing the Guardian of the minor heirs of Joseph Valcour Dehaubrun to sell lands in the State of Louisiana, was read a 2nd time, & on motion of Mr Martin, the rules of the House were dispensed with, & the bill read a 3rd time on its final passage, and sent L. C. —

An Act regulating the Fiscal Concerns of the Territory, was read a 2 time, & on motion of Mr Hanks, it was committed to Committee of the whole, & made the order of the day for Monday

Mr Sayers moved to have 3[illegible] copies printed, which motion was lost.

A Bill, entitled an act to erect & establish the County of Van Buren, was Read a 2nd time, and ordered to be Committed to Committee of the whole, & made the Order of tomorrow.

An act Supplementary to the acts appointing Commissioners for building a Jail in Ark Kansas County, was Read a 2d time, & ordered to be engrossed for a 3rd reading on its final passage tomorrow.—

A Bill, to be entitled an act to punish slaves guilty of the Crime of Larceny, was Read a 2d time & Committed. Mr Hanks offered an amendment, which was agreed to by the House. Mr Hanks offered an amendment, which was adopted by the House. The bill was then read, a 3rd time & passed, & sent to L. C.—

A Bill, entitled an act to permit John McElroy to sell, hawk & peddle Merchandize in the Territory, was taken up. Mr Woodruff moved to fill the blank with $250, & called for the yeas & nays

Those who voted for filling up with $250 were Messrs Blair, Hudspeth, Nagan, Saylor, Stilwell & Talbot 7 — Those who voted in the negative, were Messrs Alexander, Byrd, Bozz, Burt, Dixon, Hammond, Hill, Magnes, Martin, Roberts, Rutherford, Shaw, Zimmerman, Thurmond, Whitson & Mr Speaker 17. The question was then taken on the final passage of the bill & was decided in the affirmative, & the bill ordered for a third reading tomorrow. Those who voted in the affirmative, were Messrs Alexander, Byrd, Bozz, Burt, Dixon, Hammond, Hill, Magnes, Martin, Roberts, Rutherford, Shaw, Zimmerman, Thurmond, Whitson & Mr Speaker 17. Those who voted in the negative, were Messrs Blair, Hudspeth, Nagan, Saylor, Stilwell & Talbot 7. — So the bill passed. —

Mr Thurmond asked & obtained leave to introduce a Memorial, praying for a road to be laid out by Pine Bluffs, to Little River, which was read a 1st time, & on motion of Mr Rutherford, the rules of the House were dispensed with, & the Memorial read a 2nd & 3rd time, & passed, & sent to the L. C. —

An act permanently to locate the seat of Justice in Izard County, & for other purposes, was read a 2nd time, & ordered to be engrossed for a 3rd reading tomorrow.

A Bill, to be entitled an act prohibiting clerks from holding the office of Justice of the peace, was read a 2nd time, & ordered to Committee of the whole, & made the order of the day for Monday next.

A Bill, to be entitled an act for the relief of Mrs M. M. Dorsey, was read a 2nd & 3rd time; & on its final passage, it was lost

Mr Martin introduced the following resolution, which was adopted:

Resolved, That a select Committee be appointed on the part of the House of Representatives, to act in conjunction with such Committee as may be appointed on the part of the L. Council, to wait on Genl. A H Sevier, the delegate to Congress for this Territory, & request his special attention to the memorials passed by this Legislature, together with the petitions of a large portion of the citizens of the western section of the Territory, for the removal of the troops from Fort Gibson to our western frontier.

Messrs Martin, Clark & Byrd were appointed Committee on the part of the House.

On motion of Mr Wilson, the House adjourned

House of Representatives Nov. 2d 1833

The House met pursuant to adjournment

Mr. Garret from the Committee to whom was referred the petition of Sundry citizens of Pope & Crawford Counties, praying for a new county made the following. Report.

We, the Select committee to whom was referred the petitions from the Counties of Pope & Crawford, praying the Erection & establishing a new County out of said Counties, ask leave to Report by Bill; which report & Bill, On motion of Mr. Rutherford, was laid on the table until monday next.

Message from the Council by Mr. Moore

"Mr. Speaker,

I am instructed to inform your Hon. Body, that the Legislative Council has concurred in the resolution adopted by your House, relative to the sitting of the committee on Mr. McCampbells digest; & they have also concurred in the Resolution adopted by your House relative to certain Memorials &c; & have appointed Messrs Fecklin, Bean & Martin, a committee on their part for that purpose.

I am also instructed to inform you that the following Bills have been introduced into the Legislative Council, viz: "An act more particularly defining the duty of Overseers in this Territory, & for other purposes;" "An act to incorporate the Town of Little Rock;" "A Bill, concerning paupers in Hot Spring County;" & "An act to compensate persons who distroy wolves." I am also instructed to inform you that the following Bills & memorials have

loped the Legislative Council, & are herewith transmitted for your Concurrence, viz: "A Bill, for the Relief of the Sheriff of Phillips County;" "A memorial, praying that the field officers of this Territory may be allowed to Elect their Major & Brigadier Generals;" & "A memorial, praying for a road from Antoine Bridge, on the United States road, leading from Jackson to Washington, by the three forks of the Little Missouri River, to the Choctaw line, in the direction to Fort Towson."

"A memorial, asking Congress to pass a law giving the right to the field officers in this Territory to Elect their Major & Brigadier generals," was read a first time; & on Motion of Mr. Clark, the rules were dispensed with, and the memorial was read a second & third time, and passed, & returned to the Council.

"A memorial, praying Congress to appropriate $5.000 for opening a road from Antoine Bridge, on the United States Road leading from Jackson to Washington, by the three forks of the Little Missouri River, to the Choctaw line, in the direction to Fort Towson," was read a first time, & on motion of Mr. Clark, the Rules were dispensed with, & the memorial read a Second & third time & passed.

"A Bill, for the relief of the Sheriff of Phillips County," was read a first time, & ordered to a Second reading.

Mr. Stillwell, from the committee to whom was referred the petition of James Smith, made the following Report, to wit: "Mr. Speaker — the

Committee to whom was referred the petition of James Smith, have had the same under consideration, & ask leave to report the following Bill, to wit; A Bill, dissolving the bonds of matrimony between James Smith & Mary Smith; which was read a first time; On Motion of Mr. Whitton, the rules were dispensed with, & the said Bill was read a second & third time; & on motion of Mr. Whitton, the bill was amended, & passed, & was sent to the Council, for concurrence.

Mr. Ragan asked & obtained leave to introduce a Bill, to be entitled an act Supplementary to an act concerning marriage, which was read a first time, & ordered to a second reading.

Mr. Byrd from the Committee on Enrolled Bills, made the following report, to wit;

The joint Committee on Enrolled Bills, report that they have examined the following acts & Memorials, & find the same to be correctly Enrolled;

"A memorial, praying an appropriation to repair the U. S. Road from the Mexican line to the southern boundary line of the Territory;"

A memorial to Congress, to open a road from the mouth of the Arkansas river, to Mr. Black;

"An act to Legitamatize the Children of Nicholas Doherty;"

A memorial, for the formation of a new land district, & the location of a land office at Helena."

"An act for the relief of John Williams, of Phillips cy.,

"An act Supplementary to an act entitled "an act permanently to locate the Seat of Justice of Lafayette County"

An act to erect & Establish the county of Green;
An act authorizing the minor heirs of Joseph Valle DeHautive, to sell Lands in the State of Louisiana;
An act to dissolve the bonds of Matrimony betwe=
=een Sarah McGinnis & Cornelius McGinnis,
was read a 1st time, & the rules were dispensed with, & the bill was read a Second & third time, & passed, & returned to the Council, where it originated.

Mr. Roberts asked & obtained leave to introduce a memorial to Congress, asking a donation of one section of land to each county in this Territory, for the purpose of building a jail & Court House; which was read a first time; & on his motion, the rules were dispensed with, & the same was read a Second & third time, & passed, & sent to the Council, for concurrence -

A message from the Legislative Council by Mr. Smith,

Mr. Speaker,

I am instructed to inform your Honorable Body, that a memorial has passed the Council, praying the Congress of the United States for an appropriation to connect the waters of the Mississippi and the Ouachita, which is herewith transmitted, for your Concurrence.

A memorial to the Congress of the United States, praying an appropriation to connect the waters of the Ouachita & Mississippi Rivers! was read a first time; & on motion of Mr. Thurmond, the rules were dispensed with, & the same was read a 2d. & 3d. time, & passed & returned to the Council -

A memorial praying an appropriation to build a Hospital at ~~Helena, the Mouth of White river~~, was read a 1st time & on motion of Mr. Rutherford, the rules were dispensed with, & the memorial read a Second time; & on motion of Mr. Rutherford, the word "Helena" was stricken out, & "mouth of White river" was inserted in lieu thereof; & then the memorial was ordered to a 3d. Reading —

Mr. Roberts asked & obtained leave of absence for this day for Mr. Watson.

Mr. Burt asked & obtained leave to introduce a Bill, to be entitled an act apportioning the debts of the County of Clark and Dempstead, with the County of Pike, which was read a 1st time, & ordered to 2d. Reading.

On motion of Mr. Clark, the orders of the day were then taken up.

His Excellency the Governor made the following communication to the House, by John B. Field his private Secretary

Mr. Speaker

I have the Honor to inform your Honorable body, that the Governor of this Territory did on yesterday approve & sign the following Bills, viz:

An act entitled an act supplementary to an act Entitled an act permanently to Locate the Seat of Justice of the County of Clark;—

An act for the relief of J. C. P. Tollison;—

An act for the purpose of building a Gaol in the County of Jefferson;—

An act to erect & establish the county of Mississippi;

An act to be entitled an act to dissolve the bonds of matrimony between Marina J. Cole, alias Marina J. Stuart, & James Cole;—

An act supplementary to the law in force for the collection of small debts;
An act compelling the Treasurer of Hempstead County to pay over one-eighth part of the amounts of monies in the Treasury, or that may come due to the Treasury of said County, on the 22d. day of October, 1828;—
An act to appoint commissioners to lay a tax in the county of Jackson, for the purpose of building a jail in said county;
An act supplementary to the law, defining the crime of maiming;—
An act to repeal in part an act entitled an act to authorize the removal of the administrations on the estates of Joseph Jones and Joseph Key Kendall, deceased, to the counties of Clark & Independance, approved 29th. October 1831,— & for other purposes;—
An act to erect & establish the county of Carroll.
An act supplementary to an act, entitled an act permanently to locate the seat of Justice in Union County;
An act to erect & establish the county of Pike;
An act to divorce certain persons.
Also, that the Governor did, on the same day, approve of the following memorials:
A memorial to Congress, praying an appropriation to open a road from Murrell's post office, La., to Miller Court House, Arkansas Territory;
A memorial for an appropriation to open a road from Jonesborough, in Miller County, to Columbia, in Chicot County:
A memorial, praying a reduction in the price of the public Lands, & that certain lands be given up to the disposal of the Gen. Assembly

A memorial, praying an appropriation to remove the obstructions to the navigation of White & St. Francis Rivers;
A memorial, for a Road from Strong's, via Litchfield, to Batesville;
A memorial, for an appropriation of Seventy-five thousand dollars, for the removal of the raft of Red River;
A memorial, for a road from Cote Gabra to the Hot Springs;
A memorial, for an appropriation for defraying the expenses of a Digest of the laws of the Territory;
A Memorial, for a Road from Jackson, in Lawrence County, to Fort Smith;
And also, that the Governor did, on this day, approve & sign the following memorials:—
A memorial, for an appropriation to remove the obstructions to the Navigation of the Washita;
A memorial, praying Congress to give to assignees of the original patentees of Military bounty lands, the right to float their claims, & to locate other lands.

His Excellency the Governor made the following Communication, to wit:
Gentlemen of the Council & Gentlemen of the House of Representatives — I return to the Gen. Assembly, a memorial passed, praying an appropriation to defray the expense of a digest of the laws of the Territory, with my objections to it. I object to this memorial, because an other to the same effect has already been passed

and approved.- I presume not two memorials have been passed on the same subject, for the same object, by mistake.- with high respect

John Pope

Little Rock, Nov. 2d. 1833

And, thereupon, on motion of Mr. Clark the said memorial, & communication with the veto message were laid on the table.

The engrossed Bill, to be entitled an act Supplementary to the law on Attachments. was read a 3d. time, & passed—

was read a first time. An act to Erect & Establish the County of Van Buren.

The House then resolved itself into committee of the whole, Mr. Thurmond in the Chair, on said Bill, & after spending some time therein, On motion of Mr. Rutherford, the committee Rose, & the Speaker having resumed the Chair,

Mr. Thurmond Reported that the committee, according to order, had had the said Bill under consideration, & that they had directed him to report the bill back to the house with sundry amendments, which was agreed to by the House, & then, on motion of Mr. Jennings, the Rules were dispensed with, & the bill was read a third time, & passed, & sent to the Council, for their concurrence in the amendments —

A message from the Legislative Council by Mr. Yancey, Mr. Speaker,

I am instructed to inform your honorable body, that the following Bills & memorials have been read a third time, & passed, viz: A Bill, to be Entitled "an act to dissolve the bonds of matrimony between Rebecca Ann Belding & Samuel C. Belding" A memorial to Congress for the repair of the Military Road from Washington Hempstead County, to the Choctaw line, in the direction

to Fort Towson"; A memorial, for a Road from Detroit, by Pine Bluff, to Little Rock; & a Bill, to be entitled an act supplementary to an act Establishing County courts, - and ask your concurrence.

"A Bill, to be entitled an act dissolving the bonds of matrimony between Rebecca Ann Belding and Samuel C. Belding, & was read 1st time, & thereupon Mr. Kagan moved to reject the Bill, which was lost; & the bill was then ordered to 2d Reading

A Bill, from the Legislative Council, entitled "A Bill, to be entitled an act Supplementary to an act Establishing County courts, was read a 1st time, & ordered to a Second reading

A Bill, entitled an act for the relief of James W. Robinson, was read a second time, and, on Motion of Mr. Martin, the bill was Committed to Committee of the whole, and made the order of the day for Tuesday next.

A Bill, entitled an act supplementary to the several laws now in force in this Territory, for leasing for a limited time the Lands Reserved by Congress for Common Schools in each township in the Territory, was read a Second time, on motion of Mr. Montgomery, it was & Committed to a Committee of the whole House, and made the order of the day for Tuesday.

On motion of Mr. Rutherford, the following Resolution was adopted;

Resolved, That the clerk of the House of Representatives, be directed to indorse upon

Each Bill or memorial its origin, when he shall enroll the same.

A Bill, to be entitled an act to build a Court House in the County of Lafayette, was read 2d. time, & on motion of Mr. Bunt it was committed a committee of the whole House, & made the order of the day for Monday.

A Bill, to be entitled an act for the relief of John Barnes, was read 2d. time, & on motion of Mr. Saylors, the rules were dispensed with, & the bill read a third time, & passed.

A Bill, to be entitled an act to authorize the election of officers in the County of Carroll, was read a 2d. time, & ordered to a 3d. reading.

A Bill, for the Better selecting school lands provided for under an act of Congress, 21st May 1826 — was read a 2d. time, & on motion of Mr. Rutherford, the said Bill was committed to a Select committee, & Messrs Rutherford, Clark & Bunt, were appointed said committee —

A Bill to be entitled an act providing a mode of contesting the election of all officers both civil and military, was read a 2d. time, & ordered to a 3d. Reading.

A Bill to be Entitled an act providing for the auditing grand Jurors and petit Jurors accounts for fees, was read 2d. time & ordered to 3d. Reading.

A memorial praying a amelioration of the laws in force respecting Land Sales, & the entering of Land. was read a 2d. time, & ordered to be 3d. Reading—

An act Supplementary to ~~xxx~~ ~~xxx~~ the acts appointing County Commissioners for building a jail in Arkansas County. was read a 3d. time & passed.

On Motion of Mr. Hamlin the House adjourned.

House of Representatives Monday Nov. 4th 1833

The House met pursuant to adjournment
Mr Byrd from the committee on enrolments made the following Report — The Joint Committee on Enrolments reports that they have examined the following memorials & acts and report them to be correctly enrolled (to wit)
A Memorial for a Canal from Bayou Bartholomew to the Mississippi & for other purposes.
A Memorial for a road from the Arkansas Boundary to the Choctaw line in the direction of Fort Towson.
Memorial asking an appropriation of $5000 for the repair of the Military road from Washington in the County of Hempstead to Fort Towson.
A Memorial for a road from Little Rock to the Choctaw line in the direction of Fort Towson
A Memorial for a road, from Rock by Pine Bluffs to Little Rock.
A Memorial to the Congress of the U. S. for the passage of a law giving to the field officers of the Territory the right of electing their Brigadier and Maj Generals
And an act to dissolve the bonds of Matrimony between Sarah Ann Ellis & her husband Cornelius Ellis

Mr Clark introduced the following resolution which was adopted
Resolved, That the Resolution entered into by this house fixing on this day for the election of Auditor & Treasurer & Justices of the Peace be rescinded, and that the Legislative Council be invited to attend in the Representative Hall on Friday the 8th Inst at 11 o'clock A.M. for that purpose

Mr Hempstead asked and obtained leave to introduce a Bill entitled an act to elect County officers in the County of Green which was read a 1st time & on his motion the rules were suspended with & the bill read a 2. & 3 time & passed

A Bill to be entitled an act to authorise the Guardians of the infant heirs of Robt Jones dec'd to sell Lands was read a 1st time and ordered to 2nd reading—

The Select Committee to whom was referred the Petition of the Minor heirs of Robt Jones deceased reported the above Bill—

Mr Martin from the select committee appointed on the part of the House of Representatives, to wait on Col. A H Sevier, the Delegate to Congress from this Territory, & request his special attention to the Memorials passed by this Legislature, and the Petitions for the removal of the Troops from Fort Gibson, & Report that they have discharged the duties imposed on them, and received the assurances of the Delegate, that the request of the Legislature would be speedily attended to

Mr Watson asked & obtained leave to introduce A Bill to be entitled an act to punish Rioters & Disorderly persons. Read a 1st time & ordered to 2d read

Message From Council by Mr Elliott—

Mr Speaker

I am instructed to inform your Honorable body that the following Bills have been introduced into the Legislative Council Viz. A Bill to be entitled An "Act to repeal an Act regulating the manner in which judgments shall be confessed" and A Bill to be entitled "An act for the relief of the heirs of Benjamin Cooper deceased" also a Bill has passed the Legislative Council entitled an act to legalize Law Ferguson formerly Law Proctor.

Mr Hammond asked and obtained leave to introduce A Bill to be entitled an act supplementary to the several laws now in force Regulating Proceedings

before Justices of the Peace read a 1st time & ordered to 2nd reading. —

An act (from L. Council) to legitimatize Jane Ferguson formerly Jane Proctor. read a 1st 2d & 3rd time & passed & sent to the Council

Mr Byrd asks and obtains leave to introduce the following bill

A Bill to be entitled an act to repeal an act entitled "An act to regulate attorneys fees, which was read a first time, And on motion of Mr Hardy to reject, The House decided in the affirmative.

Message From L. Council by Mr Fiddes

Mr Speaker

I am instructed by the Council to deliver to the Clerk of the House of Representatives 25 Copies of the Printed Bill entitled "An act to regulate proceedings in Chancery for the use of the members of the House of Representatives

Mr Hanks offers the following resolution which was adopted

Resolved that the Committee on Memorials be instructed to enquire into the propriety of memorializing Congress to extend the pre-emption laws — so as to extend the right of pre-emption to all actual settlers on public lands to within twenty days of the time the same may be offered for sale, at which they reside. —

Mr Whitson moves to take up a memorial and Circular to reduce the price of public lands, which was read a 3rd time; and on motion of Mr Martin it was referred to a Select Committee Composed of Messrs Martin Hanks and Bell. —

Mr Taylor asks and obtains leave introduces a Bill to be entitled an act to define in part the

for the and Western Boundary line of Jackson County
Read a 1st time, and ordered to a 2nd reading

[Mr Martin asked leave to introduce a Bill,
to be entitled an act governing the appointing
and Commissioning Justices of the Peace; which was Read a
1st time, & ordered to a 2nd reading.]

Mr Martin asked an obtained leave to introduce a Bill,
to be entitled an act providing for the swearing into
office the civil officers of the City of Austin and for
other purposes which was read a 1st time, & ordered to 2d. read

On Motions of Mr Bugg, the Orders of the day were taken up
A Bill to be entitled an act to levy a tax to build
a Court House in the County of Lafayette, was taken
up; & On motion of Mr Hudspeth, the House resolved
itself into Committee of the Whole, Mr Hammonds in
the Chair; and after some time spent therein
the Committee rose & reported the Bill back to the House
with an amendment; which amendment was
agreed to by the House; — And, on motion of
Mr Bugg and, it was ordered to be engrossed for a
third reading tomorrow

A Bill, for the relief of A.B. Britten dec
was then taken up; And, on motion of Mr Taylor,
the House Resolved itself into Committee of the Whole Mr
Linnin in the Chair; and after some time spent
therein the Committee rose and reported the bill back
to the House with sundry amendments; which, on
the Speaker resuming the Chair, was agreed to by the
House; And, on Motion of Mr Rutherford, the rules
of the House were dispensed with, and the bill read a
3rd time & passed & sent to the Legislative Council,
for concurrence. —

Message from Legislative Council, by Mr Mean:
Mr Speaker

I am instructed to inform your Honorable body, that the Legislative Council has concurred in the Resolution adopted by the House of Representatives to go into the Election of Auditor & Treasurer, & Justices of the Peace on Friday next — I am also instructed to inform you that a Memorial originating in the House of Representatives, praying for one Section of Land to be donated to each County of the Territory, for the purpose of Building a Court-House & Jail, &c, which is herewith returned. — Also a bill has passed the Council, entitled "An act Temporarily to locate the seats of Justice of Monroe County, which is herewith transmitted for your concurrence —

Mr Byrd, from the Committee on enrolled Bills, have examined the following resolution, & find the same to be correctly enrolled

Resolved, That the Governor be requested to dispose of the 2d Section of Swamp Lands, Except so much of the same as may be necessary to defray the expences already incurred in selecting, &c —

The Select Committee to whom was referred the Petition of sundry citizens of Ogle and Lee Counties, — beg leave to report a Bill, to erect and establish the County of Marion — Which report was agreed to by the House, and the Bill read a 1st time — Mr Whitton, moved to lay the Bill on the table until the 1st of July next — Which Motion was agreed to by the House

Mr Martin offered the following resolution:
Resolved, That this House inquire into the propriety of the

Governor of this Territory praying the agents or agents of this Territory the amount as charged by them, for the selection of seventy-two Sections of Land donated to the Territory for Seminary purposes, & informing the Gov Message of his action of the 9th inst. On motion of Mr Rutherford, it was committed to Comt. of the whole, & made the order of tomorrow.

A Message From L. Council by Mr Jones;

Mr Speaker

I am instructed to inform your Honorable Body, that the following Bill has passed the Legislative Council (to Wit:) An Act dissolving the bonds of Matrimony between Sab. A. Anthony & Mary S. Anthony — And it is herewith returned to the House of Representatives, in which it originated. —

An Act, (from L. C.) temporarily to locate the County Seat of Monroe County, was Read a 1st time, & on Motion of Mr Byrd, the rules of the House were dispensed with, and the bill read a 2nd & 3rd time, & passed & sent to L Council. —

On Motion of Mr Hudspeth, the House resolved itself into Committee of the whole, Mr Garrett in the Chair, On A Bill, to be entitled an act to prevent Clerks of the Circuit Courts from holding the office of Justice of the Peace — and after some time spent therein, the Committee rose & reported the Bill Back to the house with an amendment to strike out the 1st Section with the enacting clause, which was agreed to by the House; and,

On Motion of Mr Hudspeth, the House adjourned

House of Representatives Tuesday 5th 1833.—

The House met pursuant to adjournment.

Mr Speaker from the Legislative Council by Mr Mean

Mr Speaker I am instructed to inform your Honorable body that the following Bills have been introduced into the Legislative Council Viz" A Bill to be entitled an act to repeal an act approved Nov. 10th 1824 entitled an act to ~~repeal~~ prevent gaming" A Bill for the relief of Preachers of the Gospel.

Mr Byrd from the Joint Committee on Enroled Bills Reports that they have examined the following acts and Memorials and find the same to be Correctly Enroled. Viz.

An act for the relief of John Barnes. — An act to Legitimatize Jane Ferguson formerly Jane Overton An act to erect & establish the County of Van Buren An act dissolving the bonds of Matrimony between James & Anthony and Mary A Anthony. Since

A Memorial to the Senate and House of Representatives of U. S. praying a donation of one section of land to each County to aid in the erection of the public buildings in the several Counties of the Territory.—

Mr Garrett from the select committee appointed to examine the Stray Laws of this Territory to see if any alteration be necessary, Asked leave to report that we have had the same under consideration & report as follows by Bill which report was agreed to. And the Bill Concerning Stray Laws was then read a 1st time and ordered to a 2nd Reading.—

Mr Roberts from the Select Committee to whom was referred the Bill to be entitled an act Concerning appeals from the Judgements of Justices of Peace &c &c Asked leave to report the following amendments to the enacting Clause"

Therefore an appeal shall be granted on any Judgment rendered by a Justice of the peace & the party so taking appeal shall first make an affadavit in writing that he she or they do not appeal for the purpose of delay or to vex or Harass the opposite party to the action but that Justice may be done.—

Sec 2.— Be it further enacted that all acts & parts of acts Coming within the purview of this act be and the same is hereby repealed and this act shall take effect & be in force from after its passage.— Which amendments & report was adopted by the House— And on Motion of Mr Rutherford the amendments was ordered to be laged on the table;

Mr Rutherford asked & obtained leave to introduce a Bill to be entitled an act to remove the Administration on the estate of Jacob Brillhart from the County of Lawrence to Pulaski. Which Bill was read a 1st time. And on Mr Rutherfords Motion the Rules of the House were dispensed with & the Bill read a 2nd time— and ordered to be engrossed for a 3rd reading tomorrow.—

Mr Rutherford asked & obtained leave to introduce A Bill to be entitled an act for the relief of the illegitimate Children of Christian Brumbacks. read a 1st time and ordered to a 2nd reading.

Mr Ragan offered the following resolution
Resolved that a Select Committee be appointed to take into consideration the Law on forcible entry and detainer & see if any amendments be necessary which Resolution was lost— —

Mr Byrd asked and obtained leave to introduce A Bill to be entitled an act to compell Sheriffs to settle their County accounts. read a 1st time and ordered to a 2nd reading. —

Mr Hudspeth asked & obtained leave to introduce an act making appropriations for the year 1834 and 1835. read a 1st time & ordered to 2d. read.

Mr Hudspeth asked and obtained leave to introduce A Bill to be entitled an act allowing Compensation to Members of the present General Assembly and their Officers read a 1st time & ordered to a 2nd reading. —

Mr Martin asked leave to introduce A Bill to be entitled an act for the relief of securities in the official Bonds in this Territory, which Bill was read a 1st time — And on his motion the rules of the House were dispensed with, and the Bill read a 2nd time. And on motion of Mr Rutherford the Bill was committed to Committee of the whole and made the order of Tuesday next.

On Motion of Mr Clark the Orders of the day were taken up

Mr Burt moved that the House resolve itself into Committee of the whole Mr Burt in the Chair On the Bill to be entitled an act supplementary to the several laws now in force & regulating the fiscal Concerns of this Territory — And after spending some time therein the Committee rose and reported the Bill back to the House with an Amendment — Strike out the 1st section with the enacting clause, and on Motion of Mr Martin the Bill was ordered to be laid on the table

On Motion of Mr Hudspeth the House Resolved itself into Committee of the whole Mr Dixon in the Chair, on A Bill for the relief of James M Robinson, and after

sometime spent therein, the committee rose and reported the Bill back to the House with amendments to strike out one hundred an twenty & insert fifty the House then agreed to the amendments made in committee of the whole; and on Motion of Mr Roberts the rules of the House were dispensed with and the Bill read a 3rd time & passed & sent to the L. Council

Message From L. Council by Mr Wolfe

Mr Speaker

I am instructed to transmitted to your Honorable Body, the Letter of Judge Fulton to the Presidents of the L. Council & the Speaker of the House of Representatives together with the accompanying documents, which I herewith deliver to your Honorable Body.

The letter and accompanying documents were then read. — And thereupon on Motion of Mr Martin the letter & documents were ordered to be layed on the table. —

On Motion of Mr Tuttle the House resolved itself into Committee of the Whole Mr Byrd in the Chair On an Act Supplementary to the several laws now in force in this Territory for leasing for a limited time the Lands reserved by Congress for Common Schools in each Township in this Territory — And after some time spent therein the committee rose & reported the bill back to the House with an amendment; which amendment was agreed to by the House — And on Motion of Mr Martin it was ordered to be engrossed for a 3rd reading tomorrow —

Message From L. Council by Mr Sudduth.—

Mr Speaker

I am instructed to inform your Honorable Body That the following bills originating in the House of Representatives have passed the L. Council & are herewith returned to your Honorable body (to wit).

An Act Supplementary to the acts appointing Commissioners for Building a Jail in Arkansas County — An Act for the relief of Abel Brelsford — And an Act to elect Officers in the County of Green.—

Mr Martin asked & obtained leave to introduce A Bill to be intitled An Act to permanently locate the Seat of Justice in the County of Crawford which was read a 1st time & ordered to a 2d Reading—

Secretary John Fulton

A Communication From the Governor by his Private Secretary

Mr Speaker I am instructed by the Governor of this Territory to inform the Honorable body That he did on this day approve and sign the following Bills. An "Act for the relief of John Williams of the County of Phillips" — An "Act supplementary to an act intitled an act to locate permanently the Seat of Justice in the County of Lafayette

An act to erect and establish the County of Green

An act dissolving the bonds of Matrimony between Sarah McKinnis & her Husband Cornelius McGinnis.—

And that he did also on this day approve and sign the following Memorials — A Memorial to Congress praying for an appropriation of three thousand dollars, to open a road from the West bank of the Mississippi at the mouth of Arkansas river, via the Post of Arkansas to intersect the Missouri and Little Rock Road at Mrs Black's.—

61

A Memorial to Congress praying for the formation of a new Land district and the placing a land office at Helena — A Memorial to Congress praying for an appropriation of ten thousand dollars to open a road from Little Rock to the Choctaw line, in the direction to Fort Towson. — A Memorial to Congress for a Canal from Bayou Bartholomew to the Mississippi and for other purposes. — A Memorial to Congress praying that the choice of Brigadier and Major Generals be given to the Field officers of this Territory. A Memorial to Congress praying for an appropriation of five thousand dollars to open a road from Antoine Bridge to the Choctaw line in the direction to Fort Towson. — A Memorial to Congress asking an appropriation of $5000 for the repair of the Military road, from Washington in the County of Hempstead to Fort Towson. — A Memorial to Congress asking for an appropriation of twenty thousand dollars to open and survey a road from Columbia the seat of Justice of Chicot County by way of Pine Bluffs, the seat of Justice of Jefferson County, to Little Rock, the seat of Government of the Territory of Arkansas. —

A Memorial praying Congress for an appropriation of fifteen thousand dollars for repairing and erecting necessary Bridges on the road Commencing at the Missouri line by Jackson Little Rock, & Washington in Hempstead County, to the Southern Boundary line of the Territory of Arkansas. —

Mr Hudspeth offered the following resolution
Resolved by the House of Representatives & Legislative Council of the Territory of Arkansas, That there be allowed & paid out of the Contingent Fund appropriated by the Congress of the United States for the Government of the incidental expenses of the Legislature of the Territory of Arkansas to each of the Clerks of the House of Representatives the sum of [redacted] dollars & to each of the Secretaries of the L. Council the sum of [redacted] dollars & to each of the Doorkeepers, the sum of [redacted] dollars & that the Speaker of the House of Representatives, & the President of the L. Council are requested to certify the services of the aforesaid officers of their respective Houses, which shall be a sufficient voucher on which to pay the same. Which was read & On Motion of Mr Hudspeth the House resolved itself into committee of the whole Mr Hill in the Chair, and after some time spent therein, On Motion of Mr Wilson the Committee rose & reported the Resolution back to the House as amended filling the 1st blanks with one hundred & fifty dollars the 2nd Blanks ditto with $150. and the 3rd blanks with twenty dollars which Amendments were agreed to by the House And
On Motion the House adjourned.

In House of Representatives Nov. 6th 1833

The House met pursuant to adjournment
Mr Fuller from the Committee of ways & means to
whom was referred the Resolution to enquire into
the expediency of Exempting certain property therein
named from Taxation, have had the same under
Consideration and are of opinion that it is in
expedient & would operate unequal if adhered to
and would be offensive & oppressive in its bearing
& would be contrary to our free institutions,
And your Committee ask to be discharged
from the further consideration of the subject

Mr Byrd from the Joint Committee on Enrolements
Reports that they have examined the following Bill
since the same correctly enrolled (Viz) —
"An Act for the Relief of Robert Mitchenden,"
"An Act for electing County officers in the City
of Tuscumbia. An Act Benificially to locate the
Seats of Justice in the County of Monroe. —

Mr Byrd From the Joint Committee to examine
the Auditors & Treasurers Books, Reported, which
Report was read and adopted, by the House, & will
be found on the Journals of the Legislative
Council of Tuesday 5th Inst. and
On Motion of Mr the Clerks are in-
structed to have examined.

Mr Clark from the Select Committee to whom
was referred the petition of sundry citizens of the
Southern part of Pulaski County praying for
to be stricken off into a seperate County to be
composed of the Southern part of Pulaski and the

adjoining part of Hot Spring County, Reports that they have had the same under consideration & are of opinion that the prayer of the said petitioners should not be granted — and ask to be discharged from the further consideration of the subject — which report was adopted —

Mr Rutherford from the select Committee to whom was referred A Bill for the better selecting School Lands provided for under an act of Congress of 21st May 1826. — have had the same under consideration and beg leave to report the same as amended to wit — "Insert" after the word "the" in 2nd line thereof the several counties to regulate the "insert the word "said" before the word "Sheriff" in the 4th line of the 1st section, which report & amendments was agreed to. —

Mr Martin from the Select Committee to whom was referred the propriety of altering or amending the Administration Law, have had the same under consideration and beg leave to report a bill of the following title to wit —

A Bill to be entitled "an act supplementary to the law governing Administrations. which Bill was read a 1st time & ordered to a 2nd reading. —

Mr Byrd asked and obtained leave to introduce A Bill to be entitled an act to incorporate the trustees of the Presbyterian Church in the Town of Little Rock which was read a 1st time & ordered to a 2d reading

Mr Garrett asked and obtained leave to introduce A Bill to appoint Commissioners to permanently locate the seats of Justice in Pope Co. which was read a first time & ordered to a 2nd reading. —

Mr Burt asked & obtained leave to introduce A Bill to be entitled an act changing the time of holding Courts in the first Judicial Circuit which was read a 1st time & ordered to a 2nd reading—

Mr Clark asked leave to introduce the following Resolution which was adopted. —

— Resolved That the Clerk of the House of Representatives be instructed to have 500 Copies of the report of the joint Committee on the Auditor & Treasurer's books Printed, for the use of this Members of this House

Mr Bogy asked and obtained leave to introduce A Bill to be entitled an act to define in part the Bounds of Jefferson County. which was read a 1st time & ordered to a 2d reading

Message From Council by Mr Smith

Mr Speaker

I am instructed to inform your Honorable body, that the following bills have introduced into the Legislative Council to day, (to wit) A Bill to be entitled, An act supplementary to an act to define in part the duties of Sheriff and Constables. A Bill to tax all Banks of Deposit & Discount, Exchange Loan or Brokers offices in the Territory of Arkansas. — A Bill for the relief of John K Taylor, Sheriff of Pulaski County. — A Bill changing certain revenues. — A Bill to be entitled an act regulating Attorneys fees —

Mr Hanks asked leave to introduce A Bill to be entitled An act to incorporate the Town of Helena read a 1st time and

On his motion the rules were dispensed with & the bill read a 2nd time which on his (Hanks) motion it was laid on the table

Mr Hammond asked and obtained leave to introduce A Bill to be entitled an act supplementary to the laws on Roads & High ways — which was read 1st time & ordered to a 2nd reading —

Mr Martin asked and obtained leave to introduce A Bill to be entitled an act supplementary to an "act" entitled an act to enable Judgments Creditors to collect their debts with more facility. read a 1st time & ordered to a 2nd reading.

Mr Martin asked and obtained leave to introduce A Bill to be entitled an act to repeal the sixth section of an act to repeal the several laws in this Territory concerning writs of Certiorari & for other purposes read a 1st time and ordered to a 2nd reading —

Dec 20 — p. 73

Mr Hanks asked and obtained leave to introduce A Bill to be entitled an act supplementary to an act regulating the fees of Sheriffs for taking the Territorial Census & for other purposes. — read a 1st time and ordered to a 2nd reading. —

Mr Clarke asked and obtained leave to introduce A Bill to be entitled an act appointing Commissioners to survey & mark the line between the counties of Scott & Pike. which was read a 1st time ~~and referred~~ and on Motion of Mr Clarke the rules of the House were dispensed with and the Bill read a 2nd time & on his motion it was referred to a Select Committee Composed of Messrs Clarke Shaw & Burch

Mr Saylorz asked & obtained leave to introduce a Bill to be entitled an act for the relief of the Sheriff of Jackson County. Read a 1st time and ordered to a 2nd reading.

Mr Saylorz asked and obtained leave to introduce a Bill to be entitled an act to regulate the Summoning of Witnesses which was read a 1st time and ordered to a 2nd reading. —

Mr Burk asked and obtained leave to introduce a Bill to be entitled an act for the erection of a Gate & erection of a Public Building in the County of Pike Read a 1st time & ordered to 2d. reading

Mr Hanks asked and obtained leave to introduce a Bill to be entitled an act to change the time of holding the Circuit Courts in the 4th Judicial Circuit which was read a 1st time & ordered to a 2nd reading. —

Mr Boyd asked & obtained leave to introduce a Bill to be entitled an act for the benefit of Mechanicks which was read a 1st time and ordered to a 2nd. reading

Mr Boyd asks and obtained leave to introduce a Bill to be entitled an act to regulate the times of holding the Circuit Courts in the 2d Judicial Circuits Read a 1st time & ordered to on Motion of Genl. Rutherford the rules were dispensed with & the bill read a 2nd time & on his motion it was referred to a select committee Messrs Rutherford Martin & Roberts

Mr Martin asked leave to introduce — a Bill

to be entitled an act concerning the non attendance of Witnesses where they have been regularly subpoened to attend any Circuit Court which was read a 1st time & the rules were dispensed with & the bill read a 2nd time, and on Motion of Mr Martin it was ordered to a Select Committee Composed of Messrs Martin Hudspeth & Saylors —

Mr Rutherford asked and obtained leave to introduce a Bill to be entitled an act supplementary to an act providing for the creation of seats of justice which was read a 1st time & ordered to a 2nd reading

Mr Roberts asked and obtained leave to introduce a Bill to be entitled an act to regulate the Militia of Van Buren County & to apportion the public debt of the Counties of Conway & Van Buren & for other purposes Read a 1st time & ordered to a 2nd reading —

Mr Roberts asked and obtained to introduce a Bill to be entitled an act for the relief of Conway County for Other purposes — which was read a 1st time and ordered to a 2nd reading —

A Bill Mr Rutherford asked leave to introduce a Bill to be entitled an act, more particularly defining the duties of the several Sheriffs & Clerks in relation to the returns of the Assessments & the filing the Tax lists with the Territorial Auditor & for other purposes which was read 1st time & ordered to a 2nd reading. —

Messrs Whiton & Bugg and presented their accounts to the Speaker of the House of Representatives for their per diem & and the Speaker having some doubts of the Legality of said accounts, Thereupon Mr Hanks offered the following Resolution which was adopted

Resolved That the Speaker of the House of Representatives be and he is hereby authorised & requested to sign the Certificates of all the members of this House who has or may hereafter be absent by consent & leave of this House

Mr Martin introduced the following resolution Resolved that a Select Committee be appointed by this House to take into consideration the letter of William L. Fulton Secretary of this Territory. directed to John Williamson President of the L. Council and John Welsan Wilson Speaker of H. Representatives together with the accompanying documents relative to the disposing of the seminary section fund and report thereon. On the adoption of the resolution. Mr Burt called for the yeas & nays, and on the question that the resolution was adopted. In a Call of the House the following members answered to their names, to wit, Messrs Alexander Byrd Bagy Burt Bugg and Clark Dixon Gamble Hadsfith Hammond Hill Hanley Magruder Martin Ragan Taylor Shaw Stidwell Tucker Turner Wilson & Mr Speaker, Whereupon the Door Keeper was sent for the absent members — Those who voted in the affirmative were Messrs Bagy Burt Bugg and Clark Garrett Hadsfith Hill Hanley Magruder Martin Shaw Stidwell Tucker Turner & Wilson 15 Those voting in the Negative were Messrs Alexander Byrd Dixon Hammond Ragan Roberts Authurson Taylor Talbot & Mr Speaker 10 — So the resolution was adopted. And thereupon Messrs Martin Clark Authurson Byrd & Burt were appointed a committee

Mr Bugg and asked leave to introduce
a Bill to be entitled an act incorporating
a company for the purpose of Banking, titled and
known by the name of the Bank of Arkansas.
which was read a 1st time & ordered to 2 read. —
Mr Martin Moved to have 50 Copies printed. which
Motion was lost. —

Mr Byrd offered the following Resolution
Resolved, That a Committee be appointed to examine
the Progress of the Public Buildings now under Pro-
=gress for a State House, and to wait on the Govern-
=or and request him to make a full Expose of all
expenditures of the same, and to examine the
Acts of Congress giving to the Territory ten sections
of land for the purpose of Erecting a State House
and see whether or not the Governor has transcended
his power, and report the same, whereupon
the yeas & nays were called for those voting in the
affirmative were Messrs Alexander Byrd Bark-
Dixon Garrett Hadgeth Hammond Hill Magness Mason
Roberts Rutherford Saylor Shaw Tucker Talbot Zinn
Whitson & Mr Speaker 15. Those who voted in the
Negative were Messrs Bozy Bugg Bowlds Clark Hawk
Martin Mitchell 7 So the resolution was adopted
and Thereupon Messrs Byrd Tucker Shaw
& Hill were appointed said Committee. —

Mr Martin asked and obtained leave to introduce
A Bill to be entitled an act making provisions for
calling a Convention preparatory to the Territory
going into a State Government. — and
appointing by the General Assembly of the Territory of Arkansas, Mem-

And the Bill was received from the Senate by the Clerk of the House of Assembly. Which was

Read a 1st time & on Motion of Mr Martin the rules of the House were dispensed with & the Bill read a 2d. time, and on his Motion the Bill was ordered to a Select Committee Composed of Messrs Martin Hedsjeth & Hammond 3 — And

On Motion the House adjourned

House of Representatives November 7th 1833.

The House met pursuant to adjournment.

Mr Rutherford offered a petition from the Legislature of Arks, which petition was ordered to be filed with the Bill to incorporate the Town of Little Rock. —

Mr Byrd from the select committee to appointed to examine the Public buildings, and request the Gov. to make a full expose of all expenditures of the same and to examine the acts of Congress, Granting Sections of Land, for the erection of a State House And examine whether or not the Governor has transcended his Power under said acts have performed the same that duty — and beg leave to make the following Report", That in compliance with the Resolution of the House, they have inquired into the progress of the State House, and other Buildings Connected with it, and find the Brick work of the last Story of the State House upon a firm Rock foundation, in very material points Completed, a stone foundation for the Court House wing, is also completed, the whole work appears to be well done, & calculated for duration. The plan of the building is extensive & so far as they understand, it will be commodious, and in taste, style, and magnificence will far exceed public expectations. —

The undertakers of the brick work, have prepared on the ground an ample quantity of brick, to finish the State House & the Court wing. Every thing connected with the Public Buildings appears to be in the full tide of successful experiment, and it would seem to your committee, not only highly inexpedient but ungenerous & ungrateful

to cast any imputation either directly or indirectly upon the conduct of the Governor who by his Zealous disinterested & successfull exertions is likely to realize more than fifty thousand dollars for lands granted for Public Buildings. double the amount ever anticipated, by his most sanguine friends. —
In the midst of this prosperous Course of things, why should doubts & difficulties be officiously obtruded on public attention, to excite distrust, & embarrass the operations of the Governor. Which have no foundation in the rules of legal Construction, or Common sense.
It must be evident to every man in the Territory that if the public buildings, Contemplated by the act of Congress, Can be erected with the funds, placed in the hands of the executive, that the people of Arkansas will be relieved from a heavy weight of taxation for ages yet to come.
When the House considers that the Governor has been impeded & annoyed at every step in his efforts for the benefit of the Community, It would seem not only, unjust & ungrateful, but derogatory to the dignity & Character of the General Assembly, further to embarrass him by giving Countenance to any insidious effort, to shake Confidence in the authority or the legality of his proceedings.
He has to a great extent executed the trust reposed in him, by Congress a greater part of his duties has been done, and up to the present moment the ingenuity of his most violent opponents, has not been able to start a doubt of his right to sell the Public lands, or erect the Public Buildings, It is difficult to imagine what public good is to be accomplished by disturbing this Country with technical & absurd notions at the present stage of the business. —

From Congress & the Presidents of the United States the Governor derived his power to sell the lands, & erect the public buildings, & to account Congress & the President he is responsible for the faithful discharge of his duty & not, to this General Assembly. If the Governor has transcended his powers, or abused his trust, then it is the right, and duty of the General Assembly to arraign him before the National tribunals & call upon them for redress, but such motions would appear more ridiculous in the eye of intelligence, than for the General Assembly to enter into a grave discussion, wasting time and money whether the opinion of some particular individuals, in relation to the conduct of the Executive, is correct, or not.

In this communication at the commencement of the Session he informed us that as the business confided to him by Congress was for the public benefit, respect for the people & their Representatives, & his own character, would induce him to give them during the present Session, a full expose of his transactions.

Your Committee in compliance with the resolution of this House, called on the Governor & requested that communication, & received for answer, that he had delayed making it until the sales of the public lands now going on were closed in order that he might be enabled to lay the whole matter before the General Assembly, the Governor informed us he had expected to finish the sales in a day or two & by monday or Tuesday next, he would give a full & satisfactory view of the disposition & application of the proceeds of the public property.

Your Committee in further compliance with the Resolution

of this house have examined the acts of Congress under which the Governor has acted & can perceive no ground to doubt his power or the legality of his acts. However unnecessary it seemed to your committee to waste time & pen to satisfy the most sceptical & those who also disposed to find faults they beg leave to make a special reference to the acts of Congress with their views of their intents & meanings. By an act of Congress approved March the second 1833. The Legislature of the Territory of Arkansas was authorized to select ten sections of land granted to the Territory for the purpose of raising a fund for the erection of a public Building at Little Rock, & by the second section of the same act. The Legislature was authorized to adopted such measures for the sale & conveyance of the land as they might deem expedient.

The legislature commenced its session on the first monday of October 1833 & adjourned without executing the authority given by Congress, or accepting the trust given them by the act. That the Legislature had a right to sell the land & build a house with the proceeds, or to purchase one, was doubted then by none, the power was admitted by all, but the expediency of applying the lands & proceeds in the manner attempted was questioned. Congress appropriated ten sections of land, a part of national funds to provide a Legislative Building for the Territorial Government. The Legislature was made the agents or trustee to carry the appropriation into effect, and they declined as they had a right to do, to execute the authority given. Suppose Congress instead of granting land to raise a fund for a public Building, had granted twenty five

The National Lands and all the national treasury as a Land Grant for Public Building & Roads authorized the Legislature of the Territory to dispose of them for the purpose of raising money for the purpose of building the State House. If there was any doubt of the right of the Legislature to accept the trust, & dispose of the money, as well as the Land, to accomplish the objects of the trust in grant & if Mr Ingalls declined in either case to execute the trust or authority would it not be competent for Congress to appoint another trustee or agent to execute the power. To this question there could be but one answer. All must agree that if one agent or trustee failed or declined to act, an other could be appointed. The Land for building the State House is not drawn from the Society of the people, but furnished by the Parent Government, & certainly it had a right to provide a government House for it.

If the Legislature the first agent of Congress had the power to dispose of the National Land & build a State House the only question is whether the Governor the second agent has the same authority and this question must depend on the act appropriating the second agent to which your Committee beg leave to refer.

By an act passed on the 4th of July 1832. it is declared that all the authority & power is hereby granted in, and given to the Governor of the Territory of Arkansas, which was vested in and given to the Legislature of the Territory of Arkansas, by an act of Congress of the 2nd of March 1833. If the Legislature by the first act had the power to dispose of the land & build the State House. The Governor must have

same power by the express words of the second act. It should be remembered that the fund for the State House did not originate with the Territory nor was it furnished by them. It was furnished and granted for a special purpose by Congress. & Congress had the right to select the agents to apply it. But if any doubt could exist from a view of the acts of Congress to which your committee have referred, it is entirely removed by the 3rd section of an act of Congress passed on the 2nd. of March 1833 by which it is provided that in case suitable situations cannot be had free of cost to the Territory for the location of the State House as well as the County House & Jail in the Town of Little Rock, the Governor is fully authorized to select & lay off suitable squares for each of those buildings within the addition, authorized to be added to the Town of Little Rock. This may be considered a legislative Construction of the former acts, Congress authorised the Governor to locate the State House on the additions to be made to the Town, and it is difficult to believe they would give the Governor power to locate a State House, without the right to build it.

Without calling to their aid the last acts referred to, your Committee believe there is no ground of Constructive Controversy. Whenever a power is granted to a Community for any particular purpose every thing necessary to complete that power or duty is supplied by implication. There is a common sense proposition, of one that has governed all deliberative bodies. From the earliest days of civilized governments.

If Congress intended that the Legislature should appropriate the ten section fund they would have required the Governor to pay the proceeds of the sales into the Territorial Treasury. It is difficult to understand when the Legislature derived the power to appropriate a fund over which they have no control and which they can reach by no process. That a legislature can appropriate money out of their own treasury will not be denied, but that they can appropriate money not in the treasury and which they have no means to get is too preposterous to be entertained for a moment.

The Governor is an officer of the General Government and the ten section fund, has been placed in his hands by the authority of Congress, & it would in the opinion of your committee be absurd as ridiculous for the Legislature to appropriate funds in the hands of the Governor, as to appropriate the Indian fund in the hands of Capt. Brown, or the money in the Land office.

The act of Congress authorising the sale of the Seminary lands directs the Governor after paying expences to pay over the surplus to the treasurer of the Territory, and this fund will be subject to their appropriation in the manner directed by Congress, but there is no provision subjecting the ten section fund to the L. Commissioner.

Upon a full view of the whole matter as the Governor neither needs nor asks any Legislative interference. Your Committee would respectfully submit to the consideration of the House the following resolution

Resolved that the Governor has not transcended his power in appropriating the proceeds of the ten sections to the erection of a State House, and it is neither consistent with public utility, or the dignity of this House to waste time or money on such a question. —

On the question will the House agree to the report & resolutions Mr [redacted] moved that it be laid on the table until tomorrow, which motion was lost, And on the question recurring on the adoption of the resolutions, Mr Clarke called for the yeas & nays. and resulted as follows to (wit) Those who voted in the affirmative were Messrs Alexander Byrd, Burt, Dixon, Garnett, Hudgins Hammond, Hagan, Roberts, Rutherford, Saylors Shaw Stowell Tucker Talbott & Mr Speaker 16 Those voting in the negative were Messrs Bagg Buzzard Clarke Dell Hawks Magness Morton Tilman & Whitson. 9. Whereas the Report & Resolutions was adopted. —

Message from L. Council by Mr Boswell Mr Speaker

I am instructed to inform your Honorable Body that the following Bills have been introduced into the Legislative Council (to wit) A Bill concerning Bail in certain Civil Actions and A Bill to be entitled an act to compel the Clerks of the Circuit & County Courts to transmit the Tax list & other Vouchers to the Auditor. —

Message From L. Council by Mr. Clarke.

Mr Speaker

I am instructed to inform your Honorable Body that a resolution reported by the Committee on the Auditor & Treasurers Books, which resolution has been transmitted to your Honorable Body with that report, has been added by the L. Council, & your concurrence asked in the same

Mr Byrd From the Joint Committee on Enrolments Reports that they have examined the following acts and find them

Them to be Correctly enroled (to Wit)
An act to alter & establish the Southern Boundary line of the County of Izard.—
An Act authorizing the Heirs of Christian Bringle to sell Lands in Arkansas Ty.

Message From L. Council by Mr. Martin

Mr Speaker

I am instructed to inform your Honorable Body, that the following Bills from the House of Representatives have passed the L. Council, (to Wit.) An act to alter an establish the Southern Boundary line of Izard County. An act to Authorize the removal of the Administration on the estate of J. B. McPherson deced to the County of Pulaski passed with amendments An Act to authorize the removal of the Administration on the estate of Isaac Pennington & Aaron S Johnson from the County of Marion to the County of Jefferson, also with an amendment An act authorizing for the protection of Mechanicks & Laborers which are herewith transmitted & your concurrence asked with said amendments

A Bill (from H. R.) to be entitled an act to authorize the removal of the administration on the estates of Isaac Pennington & Aaron S Johnson dec'd. from the City of Union to the County of Jefferson which originated in the House of Representatives, & passed the L. Council with amendments, which amendments were agreed to by this House

An act for the protection of Mechanicks and Labourers (From the L. C.) read a 1st time & ordered to be read a 2nd time to be laid on the table

Message From L. Council by Mr Bean

Mr Speaker I am instructed to inform your Honorable Body that, the following bills have passed the

Legislative Council, (to Wit) An Act requiring the owners of mills in Jefferson County to keep their flood gates down. A Bill to be entitled an act supplementary to the several acts now in force concerning roads & Highways. A Bill to be entitled to repeal an act approved 30th of Oct. 1833. and Jane Mercer transmitted for your concurrence

A Bill to be entitled an act to repeal an act approved 30th of October 1833. (From L C.) Read a 1st time and passed to a 2nd reading. —

A Bill (From L. C.) to be entitled an act supplementary to the several acts now in force Concerning roads & highways — which was read a 1st time & ordered to a 2nd reading. —

An act requiring the owners of mills in Jefferson Cty. to keep their flood gates down (From L. C.) Read a 1st time & ordered to 2d. read.

Mr Martin from the select Committee to whom refered the Bill to be entitled an act regulating proceedings in suits at Common-law, & finding time of adjournment of the Legislature approaching & that the members of said Committee are on many others of importance, & believing also that equal Justice can be done the Bill & the subjects upon which it treats in Committee of the whole, would beg leave to report the same back to the House without any amendment which report was accepted by the House. —

On Motion of Mr Rutherford the orders of the day were taken up. —

Message from L. Council by Mr Smith
Mr Speaker

I am instructed to inform your Honorable Body that the following resolution has been adopted by the L. Council.

Resolved that in the election for Auditor & Treasurer and Justices of the Peace, the Legislative Council & House of Representatives when convened for the purpose, shall proceed to vote by viva voce, in the same manner, and under the same rule adopted by the Legislature at the Session in 1831 & your concurrence is requested therein. —

I am also instructed to request your Honorable Body to inform the Legislative Council by Message what Bills have received the Executive approval. — Which Resolution was adopted by the House

An act permanently to locate the seat of Justice for Izard County & for other purposes. was read a 3rd time & passed & sent to L. Council.

A Bill entitled an act to permit John M. Kamy to sell Goods & peddle Merchandize in the County read a 3d time & passed & sent to L. C for concurrence

A Bill to be entitled and act supplementary to an act concerning Marriages. was read a 2nd time & Mr Martin moved to lay the Bill on the table until the 25th of December next — which motion was sustained by the House.

A Memorial praying an appropriation to build A Hospital in Arkansas County — was taken up & ordered to be laid on the table. —

A Bill to be entitled an act appropriating the debts of the County of Clark & Hempstead

with the bounty of Pike. which was read a 2nd time. And on motion of Mr Bush the bill was ordered to be engrossed for a 3rd reading tommorow

A Bill to be entitled an act supplementary to an act establishing County Courts. which was read a 2nd time & committed to Committee of the whole & made the order of Saturday.—

A Bill to be entitled an act to dissolve the Bonds of matrimony between Rebecca A Bilding & Samuel B Bilding— which was read a 2d time, Mr Ragan moved to postpone the bill indefinitely, which motion was negatived Mr Hudspeth moved to dispense with the rules of the House & read the Bill a 3rd time which was ordered by the House, And on the question of its final passage Mr Ragan called for the yeas & nays— Those voting in the affirmative were Messrs Alexander Bogy Bush Clarke Dixon Garrett Magee Martin Pigg Taylor Shaw Stilwell Timmons Watson & Mr Speaker 14. Those voting in the negative were Messrs Hudspeth Hammond Ragan Roberts & Tucker 5. So the Bill passed.

A Memorial praying an annulation of the laws in force respecting land sales & the entering of land. was read a 3rd time & passed with an amendment And

On Motion the House adjourned

House of Representatives Friday 8th November 1833.

The House met pursuant to adjournment.

Mr Speaker Message From L. Council.

I am instructed to inform your Honorable, Body that the following Bills have passed the Legislative Council to Wit, A Bill to divide the militia of the Territory of Arkansas, into six Brigades, A Bill to be entitled an act exempting Ministers of the gospel from serving as Grand or Petit Jurors, A Bill to be entitled an act for the relief of Lafayette Jones late Sheriff of Monroe County. and are herewith transmitted for your concurrence. A Bill has also passed the L. C. originating in Your House entitled an act dissolving the bonds of Matrimony between James Smith & Clary Smith alias Clary Rounsavee. Also a Bill for the relief of Benj. Howard originating in the House of Representatives has passed the House of L. Council & is herewith returned.

A Bill to be entitled an act exempting Ministers of the Gospel from serving as grand or Petit Jurors. which was read a 1st time & ordered to a 2nd reading. —

A Bill to be entitled an act for the relief of Lafayette Jones. which was read a 1st time & ordered to a 2nd reading

A Bill to divide the Militia into six Brigades which was read a 1st time & ordered to a 2nd reading. —

The President & Members of the Legislative Council, together with their Secretaries, having repaired to, and assembled in this House, for the purpose of electing an Auditor & Treasurer & Justice of the Peace. —

Mr Family nominated James Scull for the office of Treasurer James Scull.

Mr Boyd nominated Samuel W. Rutherford

And the Secretary of the Senate & the Clerk of the House of Representatives having called the rolls of their respective Houses & counting the votes, they were as follows:

For James Scull

Messrs Anderson Boswell Bean Blair Calloway Caldwell Duty Farrelly McKean Sinclair & Wolf 11

Bogy Buzzard Clark Hill Hanley Magness Martin Stillwell Timmons & Whitson. 11

For Samuel H Rutherford

Messrs Alexander Elliott Fricklin Judkins Jones Kirkpatrick Moor Martin Smith Thompson Tidwell & Mr President (Williamson) 13

Alexander Byrnside Byrd Burt Dixon Garrett Hudspeth Hammond Ragan Roberts Taylor Shaw Tucker Talbott & M'Spratt 9.

So Samuel H Rutherford was declared duly elected Treasurer of the Territory of Arkansas

M'Hudspeth nominated for Auditor William Pelham

M'Byrd nominated Robert Watkins

M'Farrelly nominated M'Ensey Wilson

For William Pelham And the Secretary of Council and the Clerk of the House of Representatives having called the roll of their respective Houses on counting the votes they were as follows — For William Pelham Messrs Alexander Burt Dixon Garrett Hudspeth Hammond Ragan Taylor Shaw Tucker Talbott Timmons M'Spratt (Wilson) Alexander Elliott Jones Smith Tidwell & M'Prisdent 19.

For Robert Watkins Messrs Fricklin Kirkendal Martin & Wolf Byrnsides Byrd Martin Rutherford. 8

For M'Ensey Wilson Messrs Bogy Buzzard Clark Hill Hanley Magness Roberts Stillwell Whitson Anderson Boswell Bean Blair Calloway Caldwell Duty Farrelly Judkins Moor M'Kean Sinclair Thompson 22.

And no one having received a majority of all the votes. A second balloting was proceeded to

Mr Watkins was withdrawn
[illegible] nominated [illegible]
[illegible] nominated [illegible]
At the Second Secretary & Clerk of the Council & Clerk of the House of Representatives having called the rolls of their respective Houses on Counting the Votes they were found to be as follows —
For Wm Pelham 27 Alexander Byrnes 3 Byrd Bush Dixon Garrett Hudspeth Hammond 2 Ragan Rutherford Sayers Shaw Tucker Talbot Tinnin Wilson 3 Alexander Elliott Fielder Jones Kuykendall Martin Smith Sidners and Mr President 25.
For Mr Emsley Wilson Murr Anderson Boswell Bean Clark Calaway Caldwell Daily Farrelly Gladney Hodges Mc Kean Sinclair Thompson & Wolf Bogy Buzzard Clark Hill Hanks Magness Martin Roberts Stinnett & Watson 24
Thereupon Mr William Pelham was declared duly elected Auditor of the Territory of Arkansas.

The two Houses then proceeded to a joint election of Justices of the Peace for the several Counties in this Territory and elected the following named persons Viz:—
From the County of Pulaski Abraham Brewster Davies Gipson Stephen Harris Rufus F. Mixture John Mc Clain William A. Grooms John Wilkinson James Cantwell Richmond Peebles Benj. L. Haller John Mercer John Walpole John Harris Henry Isbell Henry Thompson Simpson Thomas C. Gantt Lewis Dixon William Pugh James Easton Thomas Garrison
From the County of Lawrence John Murray Charles Adams John Hobbins John Linton Bennet B Ball John J Ball Isaac Roberts Thomas Henry Robert Mc Call William Wilcox Richard Griffin Thomas Yeates Wilson Hamby Reuben J Blount Hugh Scott.
From the County of Clark James Wood Benjamin Lewis Adam Thornton Reuben Cook

William Sams Abraham Wills Moses Moore
Matthews Eades Archibald M Rutherford Isaac Ward
Alexander Cox Jonathan O Gibbeney Winthrop
Colebreth Henry Brewer John Dixon John Hughs
William Hancock John Spurr Washington Dowels
Elijah Kelly William Kelly

From the County of Van Buren John McMillen
Miles Morrison Russell Bates William Doherty jr
William Rose John L Lafferty David Powell.

From the County of Shicks Samuel Westons
Lewis Johnson B. B. Weir Stephen Gastri Nicholas Faulkner John White James McKenney James
Estill Thomas J Young John Copeland James Blaine
John Mathis Patrick Finell Josiah White Silas. R.
Gilmore Nicholas Allen Thomas D Murewether
Elias Sims

From Crawford County Jesse Turner Elisha Day
Mathew Moore, Gibson Hagney, Joshua Fisher, John Moore
Thomas L Sinclair, Thomas Hixon, Robert Burton, Andrew
Morton, John Shannon, David Mobly, John Harrell
Eli Bell, James H Lyons, Ira Sinnott, Henry Mahon
Dixon Collins, Joseph Rupel, William Wilson
Alfred Henderson, William Hamblone, Benj. Dyer
James Gilbreth, Marcus Hagan Thomas Fulcher

Horatio W McCarver, Allen Thompson,
John L Hammond, Robert Sinclair, Lindley Johnson
Cyrus Parks, Sylvanus B Walker, George W Walker
Robt. Cottrane James Riley Abraham L Keels
Rep from the Territory [On Motion of Mr. Conway Samuels Edmunds name was stricken from lists by order of the House.]

From Crittenden County H. D Odum, L. B Thomas
Oliver Wallace Jr. John Atkinson Elijah King
Joseph L Neely Wm. A Johnson Thomas Dibbs

John R. Eames, John Holloway, Thos Tolleson, Daniel Hankerod, Isaac Burgess, Chatman Carlin, Thos Thurman, William Hagan, John Rogers, Robert Larkin Thos J Mills, John Troy, P. J. Rives Edwin Eames, C. F. Loyd, P. H. Swain William Barrington.

[W Martin moved to reconsider the vote just taken on the appointment of Mathew Spurlock a Justice of the Peace in & for the county of Crittenden, which was decided in the affirmative. And thereupon, on motion the name of Mathew Spurlock was stricken from the list of Justices of the Peace for the County of Crittenden.]

In the County of Union.

James R. Moore— Allen H. Johnston Benjamin L. Sloan— William Holcomb. Isaac Tate Jr.— Joseph Kelly— Needham Reynolds— David Rupel— Thomas Franklin— Charles Smith— Samuel McGrey— James C. Gross— James Waters— John Washington Franklin—

In the county of Hempstead.

Robert Baber— David Tollett— John Pilligrew. John Cooper— Joseph Stuart— Pleasant M. Burton— Mathew Fountain— William Reed— Jonathan Black Sen.— John Griffin— Archibold McDonald— Nathan D. Smith— John Baird— Absolam Harding— Allen M. Oakley— John Robinson— James Wood— Michael Mallon Willis Dillard— John W. Williams— William Simms— James Smith Jun.— William Lawrence— Wilson Patteson— James Bentley. William Beaty— Calvin Mary— Willis Wilson—

In the County of Hot Spring.
John Williams - Samuel W. Reyburn - Moses Mitchell - Hiram G. Clift - Warren Dunham - A. V. Sabin - David Basset - Philip S. Physick, H. A. Whittington - Thomas Holman - Cumberland Polk - William Irons - Taylor Polk Isaac N. Robeson George W. Rogers, James Polk, Jesse Burnett John Wells, and Bruce Lovel

In the County of Sevier - Mark Tollett, George Holbrook, Joseph M Cravens, John M. Moore, Green Orr, George W. McClendon, Robert Hamilton, Lorenzo Hunch, Richard Davis, Ruben Ratliff, David Foran Asa Blanscumship, Morris Rutlong, Charles Pettigrew James Dobman, William Wright, James Wright Benjamin Starr, Benjamin Pirtle and Phillip Tearney -

In the County of Independence, James Boswell, Richard Peel Sen., Austin P Lafferty, James Davis, John Ryles, Payton Tucker James M Bride, John W. Childress, Ambrose Creswell, William Arnold, Pleasant Tierney, Isaac Robertson, Benjamin Patton, Thos. Tyler & William B Kean

In the County of Izard, William King, William Watkins, Aaron Roberts Thomas H. Clark, William Heath, Samuel Bristol, Joseph Golen, Geage Campbell Sr. James L Creswell, Benjamin F. Johnson, James B. Neal, John Langston, Shoida Jeffry, Asa M Welch, Absolum Langston, Joseph Tinnin, James M. Cowdry, James L Cathcart Beverly R. Baker Charles T. Rogs, Lewis R. Wells. Eli Ward, Barry D. Graham, Charles M. Thurman, William Wood Sen. Joseph Rea. John L. Hastings, Bowman Tierney & William Hudson

In the County of Jackson, Adam Mavaugh, William McClow Jr, Joseph Bridgman, John Robinson, George Robinson, William Means John C Taylors, David C Waters, John Bood Rowland Tidwell, Joseph H Haydon, William Maloney, Isaac Flannery Snr, William Nickelson, Israel Wood, John Hurod, and Pleasant C Bean.

In the County of St Francis William Enos John Douglass, Henry Hal Coat, Sterling Brown, James L Fisher, Cornelious Davis, William M. Kilkinson, John M Daniel, Mack W. Lyaid, Chesley Franks, Archibald May, John Blackwell, Henry Coil, Jack Tyson George W. Stokes, Sterling Shepherd, James C. Shavers Shuard Rowland and William G. Bozman.

In the County of Monroe, James P. Killcam, Samuel Raney, Henry L Robert, John King, James Wright, Lyle M Laughlin Joseph Jacobs John C. Montgomery, John Evans, John Goings Michael Mitchell and William Ingram.

In the County of Jefferson, Ethelred Vardiman, Robert Allen, Enid Taylor, John L. Pennington, Thomas Bayliss Sam C. Roane, James Edrington, William Walker, William Magness Nicholas Holland and Medicus R. J. Bullock

In the County of Lawrence, Alfred L. Lain Daniel Williams, James C Loyd, Alexander Henderson Thomas M Carrell, William Rowland, James Raney John T. Booth, Solomon Hendershott, Joseph B Hackman Daniel Martin, Jonathan Hardin, George McCreight Charles Baxter, Casper Schmidt, John B. Hammond Thomas J Bean, Benjamin Jones, Isaac Lobe

William Rice, William Shuttlefield, William Jarrott, Burrell I Wiley, Edward M Donald Joseph Spikes, Peyton R Pitman, John L Cochran Samuel Moore, Charles Robertson, John B Townson Nicholas Harris, James Mann, Isaac Brookfield Abraham Nash, Robert Polly, Grenup Hall Samuel Gilley and William Aldridge.

In the County of Lafayette County, George R Dooly, Fleetwood Hendon Davidson Bradly Joseph Douglass, John Bradly Franklin Stewart, Aldermon Humphill, Jacob Bussard, Richard Dillon, George Brinkle, George Rudacle and Ambrose Dampshat.

In the County of Miller- Samuel Worthington George W. Wright, Travis G. Wright, James Anderson, James M Green, Gabriel N. Martin John Stites, James I Ward Lt. Nathan G. Cittendon John Morton, Charles Buckham, Marshal H. Lands and Ashley Wimley.

In the County of Pulaski John Magness, William Britton, John Arnold, Benjamin W. Cochran, Samuel Newell, John M. Pierson, Daniel Greathouse, James Erwin, Amos King William Saunders, Thomas B. Erwin, James Saunders Isaac Baldwin, Thomas Jones, Isaac Stone, John Douglass Jr. Samuel H. Hinkson, Joseph Brown Dudley D. Mason John H. Cocke, William P. Rayburn, Isaac Sutton William Atchison, Joseph B. Badgett, Francis A. McC Williams, Jared C. Mastin, Smith Killam, Rudolph R. Rowland, James Graham, Alexander Starbuck Eli Lindsey, John Greathouse, William Field and Robert A. Watkins, John Lockart, Enoch Owen.

Regin Davis, Benjamin Williams, Richard Brazill Valentine Brazill, Silas Dodd, James Hester and Harvey Prudden - [The Sheriff presented a petition against the nomination of Elijah Moore & Mr Boyd presented one in his favour, which were both ordered to lie and, on motion of Mr Clarke, to strike the name of Elijah Moore from the list of Justices, it was accordingly so done, by a vote of 24 to 19.]

In the County of Phillips Eli S. Lewis, Geo. W. Jordan John N. Sandford, Wm H. Calvert, George W. Martin, Peter Edwards, James Flemming, John Hastin, Enos Shelton, Henry Kimble, Lardine Clark, James Hanks Samuel Swaks, Elijah M'Nab, Dodson Shark, David Briggs Zimri Barney, John M'Cosper, Samuel Horner, Fielding Offet Roberts M'Barnett.

In the County of Pope Jesse L Graves Charles Hickey, John Patrick, James P. Reese, Wesley Garrett, William Johnson, Josiah Perry, James Logan John Scott Jr, Alexander E Ross, William Saddler, Geo. Lamison, Maurice Brown Henry Sinnett John Horton James. Carden, Joseph Eckman, Robt. A Logan, Hurt Bride Potts, John M'Cleary, John L Smith, Benjamin Langford, Mahlon Brawley, Samuel Leonard, Mark Robertson, Dempsey Brown, Thomas Muzy,

In the County of Washington. Jacob Chandler, John W. Preston, John G Stout, Pleasant Rhea John Lewis[n] John Reed John Cole, Henry Lawrence Wm. Stephens William B Woods Henry Fundhauser John B Walker David Thompson John Dillon John Arnett Samuel Billings William W Woods Nathaniel Burdine, Jas. W. Cowan John Blair John L Turner Wm I Wilson John Wilson J. Bryan & Smithson Alexander M Swaney John C Sumner

James Brandon Solomon Suttle Lee Blake=
more William M.M. Ball Suttle Burr Mason
James Stephenson Ewin P Craig Robt McAmy
Thomas P Duckworth David Williams Les=
Lemson, Daniel Vaus and James Brian
Graham Jackson Isaac Crow Richard
Withrow Joseph McElmeel John McGraham
Francis Dunn Thomas McClintain Jesse
Armstrong & Stephen Sallee. ——

and the Legislative Council having
retired. On Motion the House adjourned

House of Representatives

House of Representatives Saturday 9th 1853.—

The House met pursuant to adjournment

Message from L. Council by Mr Fickling

Mr Speaker I am instructed to inform your Honorable Body that the following bills have passed the L. Council (to wit)

A Bill to be entitled An Act to define the boundaries of Peck Spring County, A Bill for the relief of John H. Gayle, Sheriff of Pickens District.—

Also a resolution (No 1) instructing the registers of land officers which are herewith transmitted for your concurrence.—

Resolution (From L. Council) requesting Registers & Receivers of Land offices in this Territory to furnish abstracts of lands patented to the several Sheriffs of each County in the Territory. Read a 1st time and ordered to a second Reading

Message From the Governor. by his private Secretary John D Field.

I am directed by the Govr. to inform the general Assembly that he did on this day approve & sign enrolled bills of the following titles.—

"An Act dissolving the bonds of matrimony between William D Barnett & Elizabeth Barnett"

"An Act to authorize Wm Shannon to erect a toll Bridge across the Capitol.—

An Act, further regulating the proceedings of the Commissioners of the County House and Jail for the County of Lawrence.—

"An Act to define the boundaries of Levin County"

"An Act, dissolving the bonds of Matrimony between Elizabeth Eagles & Malinda Beables."

An Act supplementary to an Act, appointing

Commissioners for the building a jail in Arkansas County,
"An Act to erect & establish the City of Scott."
"An act to call in the Scrip of Arkansas City,"
"An act for the relief of Robt Crittenden,"
"An act for the Electing County Officers for the County of Green. —
An Act temporarily to locate the seats of Justice in Monroe County
"An Act authorizing the guardians of the minor heirs of Joseph Valcure D'Hautrive to sell lands in the State of Louisianna". —
"An Act to Legitimatize the Children of Nicholas Doherty"
"An Act to Legitimatize the Children of John L. Lafferty. —
"An Act, for the relief of the illegitimate Children of William Rose. —
I am directed also to inform you that the Gov. did on this day approve & sign three Memorials passed by the General Assembly with the following titles
"A Memorial for an appropriation for a road from Batesville by way of Pine Bazon to Izard Courthouse.
"A Memorial praying an appropriation to open a road from Helena to intersect the Memphis & Little Rock Road
"A Memorial to his Excellency the President praying that a Company of the U. S. dragoons be stationed at Cantonment Towson
"A Memorial for a road from Batesville through the rich woods settlements to intersect the road from L. Rock to Cantonment Gibson
"A Memorial for a road from Batesville to intersect the National Road from Jackson Via L. Rock to Washington Hempstead County. —
"A Memorial praying a donation of land to actual settlers on the Western frontier"
"A Memorial for a road from Greenville Clark County Ozark to Fort Smith" —
A Memorial for a donation to establish the Penitentiary System in Arkansas. —

A Bill For the relief of John H Taylor Sheriff of Pulaski County. was read a 1st time and ordered to be laid on the table for Tuesday.—

A Bill to be entitled an act to define the boundaries of Hot Spring County Read a 1st time Upon Motion of Mr Rutherford, the rules of the House were dispensed with & the Bill read a 2nd time & on his Motion it was referred to a Select Committee Composed of Messrs Rutherford Selects & Burt.—

Mr Byrd from the Joint Committee on enrolments Reports that they have examined the following Acts and find them correctly enrolled (to wit.)—

"An Act for the relief of the Sheriff of Phillips County".

"An act for the relief of Benjamin F Howard Sheriff of Lawrence County".

"An Act dissolving the bonds of Matrimony between James Smith & Clara Smith Alias Clara Armistead.

"An Act to Authorize the Re-removal of the administration on the estate of Isaac Pennington & H. G. Johnson dec'd from the County of Union to the City of Jefferson.—

An Act to authorize the Administration on the Estate of John J McGoldrick deceased to the City of Pulaski.—

An Act Dissolving the bonds of Matrimony between Rebecca Ann Belding & Samuel C Belding.—

Mr Clark from the Select to whom was referred the bill entitled an Act to run & mark the line between the Counties of Lawrence and Pike Report that they have [illegible] the same with one amendment which was agreed to by the House, It was then read a 2nd time & ordered to be engrossed for a 3rd Reading.—

Mr Martin from the select to whom was referred the Bill altering the mode of assessing the taxable property of the Territory. have had the same under consideration, & beg leave to report the following as a substitute for said bill, & be discharged from the further consideration of said Bill.

A Bill to be entitled an act to alter & change the present mode of assessments in the Territory, which Bill was received by the House as a substitute and ordered to Committee of the whole & made the order of Monday next.

Mr Martin from the Committee on Judiciary having the subject [under consideration, & given it that investigation which its importance demanded find that there are amendments necessary, which your Committee would have reported by Bill, but that there is one now before this House, to which your Committee believe they can attach the amendments necessary, your Committee would therefore beg leave to be discharged from the further consideration of the subject.

Mr Byrd moved to take up the orders of the day A Bill to be entitled an act supplementary to an act establishing County Courts, was then taken up. And on Motion of Mr Martin the House resolved itself into Committee of the whole on said Bill Mr Hutson in the Chair and after some time spent therein the Committee rose, & the Speaker having resumed the Chair the Bill was reported back to the House with sundry amendments, & ordered leave to sit again on Monday next, which was agreed to by the House

On Motion of Mr Clark the House resolved itself into Committee Mr Talbott in the Chair. On A Bill to be entitled an act for the relief of Securities in the Official Bonds in this Territory

and after some time spent therein, the Committee rose and the Speaker having resumed his Chair, they reported the bill back to the House with amendments, with leave to sit again on Monday next.—

Message From L. Council by Mr Ludlow

Mr Speaker

I am instructed to inform your Honorable body that the following Bills from the House of Representatives have passed the Legislative Council to Wit, An Act permanently to locate the seat of Justice in Lyon County & for other purposes, An Act supplementary to the several laws now in force regulating the mode of taking the Territorial Census, with amendments. which bills are herewith returned. I am also instructed to inform your Honorable Body that the amendments of the House of Representatives in the memorial praying an amelioration of the laws in force respecting land sales, & the entering of land &c. has been agreed to by the L. Council.—

Mr Hamilton moved to take up a Memorial for the establishment of a Hospital at Helena. Hamilton moved to reconsider the vote taken on said bill and to insert Helena & insert the Mouth of White River. Mr Hammond moved to commit the Memorial to a Committee of the whole and made the order for Tuesday next.

Mr Roberts moved to adjourn; which motion was lost—

Mr Stilwell moved to adjourn, which motion was lost—

An Act supplementary to the several laws now in force regulating the mode of taking Territorial Census Returned from the Legislative Council to the House was taken up, and ordered to be laid on the table until Monday next. and

On Motion the House adjourned—

House of Representatives Nov. 11th 1833.

The House met pursuant to adjournment

Mr Byrd from the Joint Committee on enrolements Reports that they have examined the following Memorials and acts & found them to be correctly Enrolled. (Viz) A Memorial praying an Amendation of the laws in force respecting land sales & the entry of lands &. An act permanently to locate the seat of Justice in Izard County & for other purposes.—

The Speaker presented a letter from E. A. Allen which was read, ~~on motion of~~ Mr Rutherford moved that it be ~~referred~~ referred, to a Select Committee which motion was lost— Mr Rutherford then moved that it be referred to a ~~Select~~ Committee to act in conjunction with such Committee as may be appointed on the part of L. Council, which was agreed to by the House & thereupon Messrs Byrd Roberts & Saylor were appointed said Committee. — On Motion of Mr. Bugzard Mr Martin was added to said Committee. —

A Message From the Governor by his Private Secretary Wilson P. Fields

Mr Speaker

I am directed by the Gov. to inform you that he this day approved & signed enrolled bills passed by the General Assembly & the following titles

An act for the relief of John Bonner,

An act to legitimate Jane Ferguson formerly Jane Proctor

An act dissolving the bonds of Matrimony between Isabella Anthony & Mary Anthony. —

An Act to erect & establish the County of Van Buren —

An act depositing the bonds of McKenzie Belding Ann Belding Bettie Belding Ann Belding & Samuel B Belding
An act for the relief of the Sheriff of Phillips County.
An act to authorize the removal of the administration on the estate of John T. McCracken deceased to the County of Pulaski.
An act to establish the southern boundary line of Izard
An act to authorize the removal of the administration on the estate of Isaac Pennington & Aaron S Johnson dec'd from the County of Union to the City of Jefferson.
An act for the relief of Benjamin F. Howard Sheriff of Lawrence County.
An act to authorize the sale of two tracts of land of Christian Branch deceased.

I am also directed to inform that he has this day approved & signed enrolled Memorials to Congress, praying an appropriation of one section of land to each County to aid in the erection of Public Buildings.

Mr Byrd asked leave of absence for Mr Bathford which was granted by the House.

Mr Linton moved to take up the orders of the day

Mr Baird moved that the House resolve itself into a Committee of the whole Mr Bazzard in the Chair on a Bill to be entitled an act to alter & change the present mode of assessments in the Territory & also some other specified Matters the Committee rose & reported the Bill back to the House with an amendment by striking out the 1st Section with the enacting clause which was agreed to by the House. As the bill was reported

Mr Hays from L. Council by Mr Wolf

Mr Speak I am instructed to inform your Honorable

Body Notify the following Bills the L. Council (to wit.)
A Bill to be entitled An Act, more particularly defineing the duties of assessors & other purposes
A Bill to be entitled an act supplementary to an act to define the duties of Sheriffs & Constables — which are herewith transmitted for your concurrence.

A Bill, (from L. Council) to be entitled an act supplementary to an act to define in part the duties of Sheriffs and Constables. Which was read a 1st time & ordered to a 2nd reading.

A Bill to be entitled an act more particularly defineing the duties of assessors & for other purposes, which was read a 1st time & passed to 2nd reading.—

An act supplementary to the several laws now in force regulating regulateing the mode of taking the Territorial Census. Mr Clarke moved to disagree to the amendment of the Council, which motion was agreed to by the House.—

Timmen moved that the House resolve itself into Committee of the whole Mr Whitson in the Chair On the Bill to be entitled an act supplementary to an act establishing County Courts. and after some time spent therein & the Speaker having resumed the chair the Committee rose and reported the bill back to the House with sundry amendments, which amendments were agreed to by the House. And on motion of Mr Whitson the bill was refered to a select Committee Composed of Messrs Whitson Clarke Burt Timmen & Zuelke.

A Bill to be entitled an act permanently to locate the seat of Justice for Pope County which was read a 2nd. Whereupon Mr Byrd offered sundry amendments which were agreed to by the House — And on motion of Mr Garrett the Bill was ordered to be engrossed for a 3rd

An act to appoint Commissioners to run & mark the line between Pike & Calhoun Counties — Read a 3rd time & passed & sent to L. Council

A Bill to exempt ministers of the Gospel from serving as Grand or Petit Jurors was read a 2nd time Mr Blair offered and amendment which was agreed to by the House Mr Buzzard offered & amendment which was adopted. Mr Byrd moved that the rules of the House be dispensed with & the Bill read a 3rd time & passed & sent to Legislative Council.—

Message From Legislative Council by Mr Jones

Mr Speaker

I am instructed to inform your honorable Body that the amendments to the act supplementary to the several laws now in force in this Territory regulating the mode of taking the Territorial Census is receded from by the L. Council & the bill herewith returned

A Bill to be entitled an act to repeal & reenact the several acts and amendments in the Territory

Mr Bagley offered the following resolution which was adopted

Resolved That the Speaker of the House of Representatives during the present session be authorized to take a recess at the hour of One Oclock, and call the House to order at the hour of Three

An act for the relief of Lafayette Jones late Sheriff of Tallapoosa County. Read a 2nd. and motion the rules of the House were dispensed with, and the Bill read a 3rd time & passed and sent to L. Council.—

A Bill for dividing the militia into 6 Brigades Committed to a select Committee Composed of Messrs Martin Black Hagan Linnen & Watson Read a 2nd time

A Bill to be entitled an act supplementary to an act providing for the Location of Seats of Justice, Read a 2nd. time, And on Motion of Mr Burk moved that it be referred to a Committee of the whole; which Motion was lost It was then ordered to a 3rd reading tomorrow.—

A Bill to be entitled an act supplementary to the several acts now in force concerning roads and high ways — Read a 2nd time & Committed to Committee of the whole & made the order of Tomorrow. —

A Bill to be entitled an act to repeal an act approved 30th Octr 1823 — read a 2nd time & ordered to 3rd reading. —

An act requiring the owners of Mills in Jefferson County to keep their flood gates down — which was a 2nd. time & ordered to a 3rd. reading

Message From L. Council by Mr Moore Mr Speaker

I am instructed to inform your Honorable body that the following Bills have passed the Legislative Council "A Bill to be entitled an act to repeal an act regulating the manner in which Judgments shall be confessed" "A Bill concerning Bail in Civil Cases — And are herewith transmitted for your concurrence

A Bill to be entitled an act to repeal an act regulating the Manner in which Judgment shall be confessed Read a 1st time & ordered to 2nd Reading —

A Bill concerning Bail in certain civil actions Read a 1st time & passed to a 2nd reading —

A Bill to be entitled an act apportioning the clerks of the County of Clark & Hempstead with the County of Pike. Read a 3rd time & passed & sent to Legislative Council. —

A Bill to be entitled an act to incorporate the Bank of Arkansas, was read a 2nd time, Mr Clark moved that it be referred to a select Committee which motion was lost — Mr Hammond moved to lay it on the table for one month which motion was lost — On motion of Mr Burk it was committed to Committee of the whole & made the order of Wednesday next —

A Bill to be entitled an act more particularly defining the duties of the several Sheriffs & Clerks in relation to the returns of the assessments & the filing the tax lists with the Territorial Auditors & for other purposes Read a 2nd time and ordered to Committee of the whole & made the order of to morrow —

A Bill to be entitled an act to define North Western Boundary line of Jackson read a 2nd time Mr Magness moved to lay the Bill on the table until the 8th of January next — Mr Taylor called for the yeas & nays — Those voting in the affirmative were Messrs Alexander Byrd Buzzard Clark Dixon Magness Martin Roberts Adair Stillwell Tucker Turner & Whitson 15 Those voting in the negative were Messrs Burk Garrett Hammond Rice Ragan Taylor & Mr Speaker 7 — So the bill was ordered to be laid on the table till 8th of January

A Bill to be entitled an act for the relief of Conway County & for other purposes, on motion of Mr Roberts it was ordered to be laid on the table tomorrow

An Act to ~~regulate~~ to regulate the Militia of Van Buren County and to apportion the public debts of the Counties of Conway & Van Buren & for other purposes — was read a 2 nd time. Mr Roberts moved to dispense with the rules of the House & the Bill was read a 3rd time & passed & sent to L Council. —

An Act for the Benefit of Mechanicks — Read a 2nd time. And on Motion of Mr Byrd the rules of the House were dispensed with & the Bill read a 3rd time & passed. and sent to L Council. —

A Bill to be entitled an act for the relief of Isaac Grey Sheriff of Jackson Cty Read a 2nd time — And on Motion of Mr Baylor the rules of the house were dispensed with & the bill read a 3rd time & passed & sent to the L. Council

On Motion of Mr Martin the House resolved itself into a Committee of the whole Mr Buzzard in the Chair On the Bill to be entitled an act for the relief of securities in the official Bonds in this Territory. and after some time spent therein the Committee rose & reported the Bill & Bill back to the House with sundry amendments — which amendments were agreed to by the House. And On Motion of Mr Roberts it was ordered to be engrossed for a 3rd reading tomorrow.

Mr Martin offered the following Resolution which was adopted —

Resolved that the Committee appointed to take into consideration the communication of P. A. Mose Esq. have power to send for men & papers that said Committee may be the better enabled to arrive at such Conclusions on the matters & things of the subject referred

Mr Buzz and moved to add Mr Nelson on the Committee to whom Judge Fullers Communications was referred — which Motion was lost, and

On Motion the House adjourned

House of Representatives Tuesday Nov. 12th 1833

The House met pursuant to adjournment

Message From Legislative Council by Mr. Calloway
Mr Speaker

I am instructed to inform your Honorable Body that the following Gentlemen have been appointed to act in Concurrence with the Committee from the House of Representatives, On the Letter of Elijah A Moore, (to Wit) Messrs Martin, Smith, Childs and Anderson.

Also that the following Resolution has been adopted by the L. Council

Resolved. That the committee to whom was referred the letter of Elijah A Moore, have power to send for persons & papers, provided they do not send out of the Town of St. Mary's — which resolution was agreed to by the House

Message From L. Council by Mr Martin
Mr Speaker

I am instructed to inform your Honorable Body that the following has passed the L. Council & is transmitted for your Concurrence

A Bill to be entitled an Act to Compell the Clerks of the Circuit & County Courts, to transmit the Tax lists & other Vouchers to the Auditor. —

An Act to compell the Clerks of the Circuit & County Courts to transmit the tax list and other vouchers to the Auditor — was read a 1st time & ordered to a 2nd reading

Mr Byrd from the Joint Committee on Enrolments have Examined the following Bills

and Jind them correctly enrolled
An Act for the relief of Lafayette Lewis Sheriff of Monroe County A. T.
An Act supplementary to the several laws now in force regulating the mode of taking the Territorial Census.

Mr Martin asked leave of absence for Mr Boggs Mr Tinnin moved to take up the orders of the day On motion of Mr Hammond the Commutation Bill was taken up, and on his motion the House resolved itself into committee of the whole on the Bill Mr Taylor in the Chair, and after some time Speak Thurman & the Speaker having resumed his Chair the Committee rose and reported the Bill back to the House with sundry amendments, which amendments were agreed to by the House.
On Motion of Mr Taylor the rules of the House were dispensed with & the Bill read a 3rd time & passed & sent to Council

An Act regulate the Fiscal concerns of the Territory was taken up on Motion of Mr Martin. And thereupon the House agreed to the amendments made in Committee of the whole on said Bill on the 5th Instant, to strike out the 18th Section with the enacting clause, the yeas & nays being called for were as follows Those voting in the affirmative were Messrs Alexander, Byrd Burt, Clark, Dixon, Garrett Hammond, Hill Magruder Regan Roberts Rutherford Shaw Tucker Talbot Tennin 16 Those voting in the Negative were Messrs Boggs and Martin Taylor, Stallworth Nelson and Mr Thurman 6 So the Bill was lost

Messages from Council by Mr Trenton

Mr Martin

I am instructed to inform your Honorable Body that the Act originating in the House of Representatives entitled an "Act to run and mark the line between the Counties of Sussex & Kent," has passed the Legislature Council & is herewith returned.

Also, that the amendments of the House of Representatives to the Bill exempting Ministers of the Gospel from serving as grand or petit Jurors, are disagreed to and the Bill is herewith returned. For concurrence

A Memorial praying an appropriation to Build a Hospital in St. Jerusalem, was taken up, on the motion of Mr Martin it was laid on the table.

A Bill for the relief of John H Taylor Sheriff of Pulaski County. Read a 2nd time & ordered to a 3rd reading.

A Bill to be entitled an Act for the selection of a site & erection of Public Buildings in the City of Dixie read a 2nd time Mr Burk offered & amendment which was agreed to by the House; and on his motion the Bill was ordered to be engrossed for a 3rd reading & final passage tomorrow.

An Act regulating the summoning of Witnesses, was read a 2nd time. And on motion of Mr Taylor Messrs of the House were discharged with the Bill read a 3rd time & passed & sent L. C.

A Bill to be entitled an to repeal the sixth section of an act, to repeal the several laws in this Territory concerning writs of Certiorari & for other purposes was Read a 2nd time & ordered to Committee of the Whole & made the order of Tomorrow

A Bill to be entitled an act supplementary to an act, regulating the fees of Sheriffs & for other purposes — was read 2nd time — Mr Blair moved to lay it on the table untill the fourth day of January next — which was agreed to by the House — & Therefore the bill was lost —

A Bill to be entitled an act supplementary to an act to enable Judgment Creditors to collect their debts with more facility — was read a 2nd time & on Motion of Mr Martin the rules of the House were dispensed with & the Bill read a 3rd time & passed & sent to L. C. —

A Bill to be entitled an Act supplementary to the laws on Roads & Highways — which was read a 2nd time and ordered to be laged on the table.

A Bill entitled an Act providing for the swearing in the officers of the County of Scott — was read a 2nd time and on Motion of Mr Martin the Bill was referred to a Select Committee — Composed of Messrs Martin Gamble & Roberts. —

A Bill for the Reprehension of Highwaymen — Read a 2nd time and ordered to be laged on the table

A Bill to be entitled an act exempting Ministers of the Gospel from serving as Grand or Petit Jurors was returned from the Council with amendments to which the concurrence of this House disagreeing to the amendments of the House of Representatives — On motion of Mr Rutherford a Committee of Conference were appointed. Consisting of Messrs Rutherford Clarke and Talbott.

A Bill to be entitled an Act to define in part the bounds of Jefferson County — Read a 2nd time & ordered to be laged on the table till 1st January next —

A Bill to be entitled an Act Changing the time of holding Courts in the 6th Judicial Circuit — Read a 2nd time — and On Motion of Mr. Martin it was referred to a Select Committee — Composed of Messrs Martin Clark Hammond Hill & Roberts

A Bill to be entitled an Act to Change the time of holding the circuit Courts in the 4th Judicial Circuit. Read a 2nd time and referred to the select committee to which was referred the Bill to change the Courts in the 1st Judicial Circuit

A Bill to be entitled an Act to incorporate the Trustees for the Presbyterian Church in the Town of Little Rock — Read a 2nd time. Mr Martin moved an indefinite postponement — Which motion was agreed to by the House —

A Bill to be entitled an Act Supplementary to the Laws Governing Administrators — Read a 2nd time — On Motion of Mr Tucker the bill was ordered to be engrossed for a 3rd reading tomorrow

A Bill for the better Selecting Lands donated Lands Invided for under an Act of Congress 20th of May 1826. Read a 3rd time & Passed & Sent to L. Council.

A Bill Concerning Strays Laws, was read a 2nd time — Mr Mays next moved to Strike out the 1st Section with the enacting Clause — which Motion was agreed to by the House —

A Bill to be entitled an Act for the relief of the illegitimate Children of Christian Brumback was read a 2nd time, & on Motion of Mr Tucker

the rules were dispensed with & the Bill read a 3d time & passed & sent to the L. Council —

A Bill to be entitled an act to authorize the removal of the Administration on the estate of Jacob Burkhart from the County of Lawrence to the County of Pulaski. read a 3rd time & passed & sent to L. C.

A Bill to be entitled an act supplementary to the several laws now in force in this Territory for leasing for a limited time the Lands reserved by Congress for Common Schools in each Township in the Territory Read a 3rd time & On Motion of Mr Rutherford it was referred to a Select Committee composed of Messrs Rutherford Martin & Tucker.

A Bill to be entitled an act to permanently locate the County seat of Crawford. was taken up, and on Motion of Mr Martin it was laid on the table

A Bill to be entitled an act to Compell Sheriff to settle their accounts — read a 2nd time & ordered to be engrossed for a 3 read tomorrow

An Act Making an appropriation for 1834 & 1835 read a 2nd time — And on Motion of Mr Martin the Bill was committed to committee of the whole and made the order of Tomorrow

Message From Legislative Council by Mr Moore Mr Speaker

I am instructed to inform your Honorable body, that the Act allowing Compensation to Members of the present General Assembly & their Officers — has passed the Legislative Council

With amendments and is herewith returned for your concurrence.

Also An Act for the relief of James W Robinson from the House of Representatives has passed the Legislative Council & is herewith returned.—

An Act allowing Compensation to Members of the General Assembly & their Offices — was then read. Mr Butler moved to disagree to the amendments of the Council made in the Council which motion was agreed to by the House.

Read 2d & 3d time p. 97.

A Bill to be entitled an act to locate a Court House in the County of Lay Fayette, read a 3rd time & passed & sent to L. Council.—

A Bill to be entitled an act to authorize the Guardians of the Minor Heirs of Asa Lowe dec'd. to sell lands — read a 2nd time and ordered to Committee of the whole & made the order of Tomorrow

A Bill to be entitled an Act to punish riotous & disorderly persons, read a 2nd time — and on Motion of Mr Burt the Bill was ordered to Committee of the whole & made the order of Tomorrow

Message from L Council by Mr Fiddlin & Speaker

I am instructed to inform your Honorable Body, that the Legislative Council insist on the amendments allowing Compensations to the Members of the present General Assembly & their Officers; and have appointed a Committee of Conference of Messrs Farrell, Fiddlin & Tidwell to act in Concert with the same number from the House of Representatives

upon said Bill, and ask your concurrence
And on Motion of Mr. Bush a Committee of Confer-
-ence was raised on the part of the House of Repres-
-tatives in Compliance with the request from the
L. Council Consisting of Messrs Martin, Burt & Shaw

Mr Martin On Motion of Mr Martin the House
Resolved itself into Committee of the Whole Mr Shaw
in the Chair On the Bill to be intitled an act
Supplementary to the several acts now in force
Concerning Roads & high ways — and after some
time spent therein & the Speaker having resumed
his Chair. the Committee rose & reported the bill
back to the House with amendments which
amendments were agreed to by the
House — And on Motion the rules were dispensed
with & the Bill read a 3rd time & passed. & sent
L C. —

And on Motion the House adjourned

House of Representatives Wednesday Nov. 13th 1833

The House met pursuant to adjournment.

Mr Whitson from the select Committee to whom was referred the bill to be entitled an act establishing City Courts — Reports that they have according to order had the same under consideration and have agreed on the following amendments — to the Bill entitled an act supplementary to an act establishing County Courts — which amendments were agreed to by the House, And on Motion the rules of the House were dispensed with & the Bill was read 3rd time & passed & sent to Council

Leave of absence was granted to Mr Dixon for to day

Mr Whitson offered the following resolution which was adopted — Resolved That the House of Representatives appoint Saturday the 16th day of November 1833. to adjourn sine die & request the concurrence of the Council —

On motion of Mr Bard the orders of the day were taken up

On Motion of Mr Whitson the House resolved itself into a Committee of the whole Mr Tucker in the Chair On the Bill to be entitled an act to incorporate the Bank of Arkansas and after some time spent therein & the Speaker having resumed the Chair they reported the bill back to the House with sundry Amendments — to strike out the first section with the enacting clause. which amendments were agreed to & the bill as so read

Mr Byrd from the Joint Committee on Enrolments Reports the Acts to be correctly enrolled — to Wit.
An Act to run & mark the line between the Counties of Lewis & Pike — & An Act to compensate James M Robinson for services performed by him as prosecuting attorney pro tempore for the 2nd Judicial Circuit.

Mr Rutherford from the Select Committee to whom was referred the Bill to be entitled an act supplementary to the several acts to provide for the location for a limited time the Lands reserved by congress for the support of Common Schools within each Township in this Territory. Reported the Bill back to the House without amendment. Mr Magruder moved to strike out the 1st section with the enacting clause — which motion was decided in the affirmative —

Message from the Legislative Council by Mr Jones.

Mr Speaker

I am instructed to inform Your Honorable Body that the following Bill from the House of Representatives had passed the L. Council (to Wit) An Act for the relief of Isaac Grey Sheriff of Jackson County & is herewith returned.

Mr Martin from the Select to whom was referred the Circular Letter from the L. Council addressed to the different States & Territories in which any of the Public Land may lie, requesting the same to be laid before the respective Legislatures thereof beg leave to report the following as an amendment — which was agreed to by the House —

Mr Rutherford offered the following Preamble and Resolution which was adopted by the House.

Whereas information has been given by the Gov. that he would at ½ past 12 Oclock on this day make a communication to both Houses of the General Assembly of this Territory upon the subject of the Public Building Therefore be it

Resolved that the L. Council & House of Representatives will Convene in the Hall of the House of Representatives at ½ past 12 Oclock to receive said Communication.

Message From L. Council by Mr. Martin the Speaker

I am instructed to inform your Honorable Body that the L. Council have had under Consideration the Bill to be entitled An Act Supplementary to an Act, establishing County Courts returned from the House of Representatives with sundry amendments, and have determined as following to wit, They have amended the first amendment so as to make the election of all civil officers be held on the second monday in December of every second year — They have agreed to the 2nd Amendment — They disagree to the 3rd amendment — They disagree to 4th amendment — and They have disagreed to the 5th amendment, and the Bill with Amendments is herewith returned and you are requested to reconsider the same

A Bill to incorporate the Town of Belen a Read a 3rd time & passed & sent to L. Council

Message From L. Council by Mr. McKean the Speaker

I am instructed to inform your

Honorable Body that the L. Council have concured in the resolution of the House of Representatives & will convene in the Hall of Representatives at 12 o'clock this day, to receive the Communication of the Governor.—

The Members of the L. Council Having assembled in Hall of the House of Representatives, His Excellency the Governor by his Private Secretary Doct. P. Fitch delivered the following Message. (to wit)

Gentlemen of the Council and
Gentlemen of the House of Representatives

In compliance with a promise made you in my Communication at the Commencement of the present Session, I have now the honor to lay before you a Statement of the Sales of the ten Sections of Lands granted by Congress for a Legislative House at this place. The act vesting the Governor with the authority to proceed in the business passed in July 1832. Shortly after my return from Kentucky to the Territory in the Fall of that year, I gave notice in several Public Prints of the terms on which the ten Sections would be sold. The Minimum price fixed was five dollars per acre subject to a deduction of six per cent. for prompt payment and a deduction of 100 dollars to any person who would take 5 Sections. The credit for which a credit was given was to bear an interest of 10 per cent subject to remission of interest if paid within nine Months from the Contracts provided one fourth was paid in hand. The object of this provision was to induce payment within the first year to enable me to go on with the State House, nor will a failure for a few days or even weeks be deemed a forfeiture of claim to remission provided I receive it in time to meet the expences of the building without

a resort to loans, After selling about 6 sections of the land on the terms of my Proclamation & being assured that I should have the means to progress with the building, I thought it necessary & expedient to procure a skilfull Architect to plan the State House and superintend & direct the work. I applied by letter to a Mr Thorpe of Lexington Ky. of much fame as an Architect, who has planned & superintended the erection of the Capital of that State to repair to this place & direct our operations He declined coming, owing to his engagements in Kentucky & other considerations, but sent on a Mr George Wingate with a strong recommendation of his fitness for the undertaking. He furnished also a splendid plan of the building, but on too large & expensive a scale for the fund placed at my disposal. Mr Wingate & myself after much consideration abridged the plan so as to bring it within the means applicable to the object. The plan being settled on and site selected & purchased the most eligible to be had with a clear title, I entered into a contract with Thorn on behalf of himself & partners both then absent, for the execution of the stone & brick work which was reduced to writing upon the arrival of both and is subject to the inspection of a Committee of the General Assembly or any member, & a Copy will be furnished to the General Assembly if desired.

Among other stipulations the stone work was to be executed in the most substantial manner & in every thing found by the undertakers at $3 per perch the brick work at $10 per Thousand. The bricks made for the building to be the property of the public all of which will more fully appear by reference to the contract Col. Ashley. David S. Ellen & William Rufus. gave a portion of the site fixed on for the building

and purchased the residue of William Russel at the price of $800. & calculated on a subscription to that amount from persons owning property near the square selected for the Public Building, but in this I was partially disappointed, as some most interested refused to subscribe a dollar. Ashley Henderson Byrd Woodruff & Lewis, subscribed different sums amounting in the whole to almost $400. Col. Ashley who purchased Mr Hendersons property below the State House has agreed to pay $50. subscribed by Henderson besides the sum subscribed by himself. This sum contributed will be collected in the course of the ensueing winter & Spring. The titles of the lots given by Ashley was in Russel. Short Conveyances from Russell & Ellen for the site of the State House to the Governor & his successors in Office in trust for the Territory for a State House & with a guarrantee of title to such persons or persons as the same may be vested in by the future State of Arkansas, when this Territory shall be erected into an independant State. Copies of the deeds of conveyance are herewith transmitted. I found it necessary in an early stage of this business to engage a skilful Judicious & responsible agent, to aid me in the sale of the lands & application of the funds, on whose responsibility & credit, the work would be kept in motion whether there was, or not at all times funds on hand to meet current demands. This agent Col. Chester Ashley has most ably and faithfully performed his duties to me & to the people & certainly merits their warmest thanks & appreciation instead of the ungenerous suspicions & reproaches with which he has been rewarded. I claim no credit but what is due to confidence in my plans zeal &

3

integrity of purpose in their execution. The public edifices now in progress will be those lasting Monuments of national liberality & of the talents and efficiency of the man who has long represented you in Congress. The stone work & brick work of the first story of the State House are done & well done, firm & lasting. Six Millions of bricks, or more are made. The Carpenters are preparing & will just rear a tier of timbers on the walls in a few days, & in a few weeks the brick work of the building will be finished with the exception of pavements & Collumns. The house will present two fronts one to the river, the other to the town of 4 Collumns on each front. Steps lead in advance of the building. The Legislature rooms will be on the second floor & Committee rooms below. The Court Houses will be near 40 feet each of the Legislature House, and the offices wing Reading rooms for Auditor Treasurer Secretary of State & Land office will be placed the same distance on the west of the Centre building. and each wing to be connected to the Centre building, by dwarf Colonades. The Situation however is commanding having a street on every side, & a view of it can never be obscured by any advance in improvement or population of the Town. It is intended to have the Lower floors of all the buildings paved with bricks, of a proper size, and the whole covered over with lime, of a suitable quality, and in the end it would be economy to enclose the public Square with a railing of Cast Iron which would cost less than $1000. The various conjectures and indulged in regard to the probable expences of the State House although, I have no certain data upon which to hazard a definite or satisfactory opinion yet it may not be amiss to state

that when the work was commenced it was supposed by the superintendant that the Center or Legislative House would cost less than $20.000 but I have believed myself that it would exceed that sum. From twenty to twenty five thousand dollars, I think a fair estimate of the whole expense of the Center building, leaving from six to eight thousand dollars of the Two section fund applicable to the erection of the west or office wing. Much however must depend upon the manner in which the interior of the building is finished. — The carpenters work of the Lower rooms of the State House & the interior of the office wing will be done in the plainest & most economical manner & indeed the interior of the whole buildings except the Court & Legislative rooms which ought to be finished with a reasonable regard to taste & elegance for $30.000 will be nearly sufficient if not entirely so for the State House & office wing. The funds applicable to the Court House & Jail will be very ample for those objects. & I anticipate with some confidence a surplus adequate to the erection of a Governors house. The Court House & Jail sufficiently extensive & substantial can be built during the next season. There is every reason to calculate that the State House if not entirely finished will be in readiness for the use of the General Assembly by their next Session. I beg leave to lay before you the report of the Master & Deputy the agent charged with the location & sale of the two Sections and the disbursments of the proceeds under my instruction which I believe to be correct. From this source to me the General Assembly will be informed of the quantity of land sold, the price & amount of cash received & paid out — and notes

with good security on hand. The sum of $30.000 may be fairly anticipated from the sale of the ten sections besides an addition of interest equal to the salary of the superintendent of the works who is allowed the sum of $80.00 per month, so long as his services are needed. 6 Sections have been sold for the sum of $24.504 of which $6.854 has been received in cash and $17.650 in notes well secured to which may be added $400 subscribed for the purchase of the State House lots. Making the sum of $24.904 of available funds on hand more than sufficient to complete the State House leaving two sections to be disposed of. 521 acres & forty six hundredths of which have been sold, but the location is suspended by the objections of the Commission of the Land Office, which if obviated, and, the land paid for, will place under my Control upwards of $25.000 & leave 758 acres & seventy five hundredths of the Ten Sections to be disposed of. From this Statement of Facts you will be satisfied with the assurance I now give the Public that the buildings Confided to my Charge will progress with all reasonable dispatch unless indeed they should be arrested by the threatened Proclamation of the Secretary, Who I understand has given out it in Speeches that the Moment my back is turned, that he will pursue me against the Course pursued. After I had executed the authority dedicated to me by act of Congress by selling 6 Sections of the Ten Sections of land purchased a site for a State House Commenced the building, and entered into written Contracts for the work, to the amount of twelve or fifteen Thousand dollars, near two months after my

departure for Kentucky, where the undertakers were in full operation with the building in the height of an animated electioneering contest in this Territory without any hint, to, or Consultation with me by letter or otherwise, the Secretary Mr Fulton addressed a letter to Col. Ashley the agent charged with the pecuniary arrangements in relation to the Public Buildings. Certain that the Governor had no authority to appply the Sixteen Section Fund to the erection of a State House and if Col. Ashley had withheld the funds as indicated in Mr Fultons letter, and the public works had been stopped, a Majority of Members would probably have been returned to the General Assembly Political Hostile to the Governor & Col. Ashleys election might have been defeated. The undertakers of the building would have been ruined, and must have been indemnified for their losses, out of my Private Fortune, or, the Public Treasury. Fortunately for me & the Country the intelligence Firmness & Fidelity of my agents, averted these disastrous Consequences, I indulge a hope however that the late admonition given to the Secretary by the General Assembly in reference to his attempts to have the Gov. convicted of a Lawful exercise of Power will free me from further embarrassment from that quarter.

I regret that I am not yet able to furnish a Statement of the Sales of Lands lots for building a Court House & Jail, & of the Seminary Lands. I expect to have it in my Power to communicate both before your adjournment

Respectfully
Your Obt Svt
A. H. Sevier

Little Rock
Nov 13th 1833

Mr Martin from the Joint Committee to whom was referred the Digest of the Laws as prepared by Mr Mc Campbell having given the same as far as the time and circumstances would admit of a thorough and minute investigation, and being satisfied, so far as they have examined, that the work is well arranged and neatly executed. would beg leave to report the following resolution.

Resolved by the General Assembly of the Territory of Arkansas. That James McCampbell Esq. who arranged & correctly Digested the Laws of the Territory up to the present Session of the Legislature and that the same be received as evidence of the Laws in different Courts in this Territory. which Resolution was adopted.

Message From Council by Mr Fielding
Mr Speaker

I am instructed to inform your Honorable Body that the Legislative Council have concurred in the resolution of Adjournment with an Amendment, and this same is herewith transmitted for Your Concurrence.

Mr Martin moved to disagree to the amendment made in the Council to the resolution on adjournment of both Houses on Saturday 17th Inst. which Motion was agreed to by the House.

Mr Martin offered the following resolution which was read

Resolved That the Gov. of this Territory be & he is authorized & requested to procure a sufficient number of copies of Mr McCampbells digest of the Laws when the same shall be presented; & forward one Copy by the most

to the Executive of each State & Territory of the United States —

A Bill to be entitled an act supplementary to an act regulating appeals read a 2nd time & ordered to be engrossed for a 3rd reading to morrow —

A Bill to be entitled an act governing the appointing & Commissioning Justices of the peace read a 2d time & on Motion of Martin the rules of the House were dispensed with & the Bill read a 3rd time & passed & sent to L. C.

An act supplementary to the act establishing County Courts returned to the House with amendments, to the amendments of the House Mr Watson moved to lay the bill on the table which on the 1st day of August ninth Decision called for the Yeas & nays Those voting in the affirmative were Messrs Alexander Jacobs Talbott Tinnen & Watson 5 Those voting in the negative were Messrs Bond Buzzard Clark Garrett Hudson Keith Hammond & Hughes Martin Roberts Rutherford Saylor Shaw Caldwell & the Speaker 14. Mr Watson moved that the House insist on their Amendments to the bill and appoint a Committee of Conference Composed of Messrs Martin Rutherford & Watson [on the part of the House of Representatives & request & inform the L. C. thereof]

A Bill to be entitled an act to authorize the electing of officers in the City of Annapolis & for the purposes read a 3rd time & passed and sent to the L. C. —

A Bill to be entitled an Act providing a mode of contesting elections of all offices both civil & military read a 3rd time & passed & sent to L. C. —

A Bill to be intitled an Act providing for the Auditing Grand & Petit Jurors accounts for pay — Read a 3rd time & passed & sent to L. C. —

Message From Legislative Council by Mr Alexander. Mr Speaker

I am instructed to inform your Honorable body, that the Legislative Council has receded from their amendments to the resolution on adjournment. —

Resolution From L. C. requesting Land officers to furnish Sheriffs of the different Counties with abstracts of land which may be subject to taxation — Mr Rutherford moved that the Resolution be indefinitely postponed which motion was agreed to by the House —

Mr Speaker (Walker) made the following report to wit Pursuant to a resolution of both Houses of the General Assembly — The Speaker of the House of Representatives was instructed to write the word Satisfied, and affix his name officially on the face of the Warrants & Vouchers examined by the Joint Committee to examine the Books of the Auditor & Treasurer. — That service has been performed and the papers returned to the office of the Auditor of Public accounts of this Territory. —

A Bill to be entitled an act to amend the several acts to amend the proceedings at Common Law was then taken up Mr Martin moved to strike out the 3rd ~~4th 5th 7th 8th 11th 12th 13th 14th 15th 16th 17th 18th 19th 20th & 21st~~ sections and to report the question was taken

~~the House agreed~~

On Motion the House adjourned.

House of Representatives Nov. Thursday 14th 1833

The House met pursuant to adjournment

Mr Linnen asked and obtained leave of absence for the remainder of the Session, for Mr Maginess

Message From L Council by Mr Wolf
Mr Speaker

I am instructed to inform your honorable Body, that the Legislative Council has considered the act for the better selecting of cool lands, provided for under an act of Congress of the 20th May 1826 — They have agreed to the first amendments — and they have disagreed to the second amendment proposed by the House of Representatives to said Bill —

The L. Council has also considered the bill entitled "An act" supplementary to the several acts now in force in the Territory of Arkansas Concerning roads & highways, which has returned from the House of Representatives with amendments — They have agreed to the first amendments, and have disagreed to the 2nd & 3rd amendments proposed & the Bills are herewith returned for your reconsideration

Message From L. C. by Mr Farrelly
Mr Speaker

I am instructed to inform your Honorable Body, that the L Council have appointed Messrs Farrelly Smith & Thompson as a Committee of Conference to act with the committee appointed by the House of Representatives on the Bill entitled an act supplementary to an act establishing Circuit Courts

Also That the following Bill has passed the L. Council to wit An Act providing for the redemption of Lands stretten off to the Territory for the non payment of Taxes — and your Concurrence is asked therein.

Mr Selack moved to insist on the amendments made to the Bill on roads and Highways, and to refer the same to the Committee of Conference on the County Courts Bill, which motion was decided in the affirmative by the House, and the concurrence of the L. Council requested.

Mr Boyd from the Joint Committee on enrolments Reports the following Acts to be correctly enrolled

(2 Mch)

An Act for the relief of Isaac Grey Sheriff of Jackson County.

An Act for the election of officers in the County of Carroll & for other purposes — 3

An Act providing a mode for contesting elections of all officers civil & military —

An Act to be entitled an Act providing for the Auditing grand Jurors & witnesses accounts for fees

An Act for the better collecting Land Sales provided for under an Act of Congress passed 26th May 1826. The House receded from the 2nd amendment and the Act sent to L. C.

An Act Providing for the redemption of Lands stretten off to the Territory for non payment of Taxes, Read a 1st time — And on Motion of Mr Tucker the rules of the House were dispensed with & the Bill read a 2nd & 3rd time & passed & sent to the L. Council from whence it originated

The Clerk from the Committee of Conference to whom was
referred the Amendments to the Bill entitled an act allow-
-ing compensation to the members of the Juries General
Assembly & their officers

Reports that they have according
to order met Conference on said Bill and have come to the
agreements to recommend to the L. Council to recede from
their first amendments & to the House of Representatives
to agree to the 2nd amendments to said Bill. Which
report was accepted by the House.

Mr Martin from the Select Committee to whom was refer
the Bill providing for the swearing into office the civil
officers of the Xxxxxx County of Cork, after having
had the same under consideration, beg leave to
report the following provisions, or amendments
to said Bill — which amendments was agreed to
by the House, and the Bill ordered to be engrossed
for a 3rd reading tomorrow

On Motion of Mr Tierney the orders of the day were
taken up.
A Bill to be entitled an act to amend the several
acts regulating the proceedings at Common Law.
Mr Martin's motion, made on yesterday to strike
out the 3rd section of the bill, receiving which was
decided in the negative, Mr Clark moved to strike
out the 4th Sec., on the question being taken it was
decided in the affirmative. Mr Clark moved
to amend the 15th Sec. which on the question being taken
was decided in the affirmative — Mr Clark moved
to strike out the 17th Sec. which was decided in the
affirmative — Mr Martin moved to strike out
the 7th Sec. which was decided in the affirmative

Mr Harris moved to strike out the 8th Sec. which was decided in the affirmative Mr Martin moved to strike out the 9th Sec. which motion was decided in the negative. Mr. Martin moved to strike out the 18th Sec which motion was decided in the affirmative Mr Clark offered an amendment to 3d Sec. which motion was decided in the affirmative — Mr Patterson moved to amend the 6th Sec. which motion was carried in the affirmative. Mr Clark moved to strike out the 12th Sec. which motion was carried in the affirmative Mr Martin ~~moved~~ an amendment ~~to the 4th generally~~ offered an amendment to be added after the last numbered section. which amendment was adopted by the House. and on motion of Mr Crabb the bill was ordered to be engrossed for a third Reading on to morrow.

Message From Council by Mr McLean.

Mr Speaker

I am instructed to inform your Honorable Body that the following Bill originating in the House of Representatives has passed the Council (to wit) An Act to incorporate the Town of Helena.

An Act apportioning the debt of the Counties of Clark & Hempstead with the County of Pike and for other purposes, with amendments: which Bills are herewith returned & your Concurrence asked in said amendments.

Message from the Legislative Council by Mr Smith

Mr. Speaker I am instructed to inform your honorable body that the following Bill passed the legislative council, to wit, [An Act to create and establish the County of Johnson, and is herewith transmitted for your Concurrence

The following Message was received from the Legislative Council by Mr. Moore

Mr. Speaker,

I am instructed to inform your honorable body, that the Legislative Council has added Mr. Moore to the Committee of conference on the "Act, Supplementary to an act establishing County Courts" in lieu of Mr. Jacklin, and also that said Committee is appointed a Committee of conference on the Bill concerning Roads and high Ways.

The following Message was received from the Legislative Council by Mr. Clarke,

Mr. Speaker

I am instructed to inform your honorable body, that the following bill has passed the Legislative Council to wit, "An act for the protection of Mechanicks and Labourers" and is herewith transmitted for your concurrence, also "an act to apportion the representatives in the next General Assembly, and to exempt certain persons from paying a poll Tax" has passed the Legislative Council and is herewith transmitted for concurrence.

The Bill returned from the Legislative Council entitled "an act apportioning the Debt of the Counties of Black and Hempstead with the County of Pike" with an amendment which amendment was agreed to.

The following Communication was received from the Legislative Council by Mr. Wolf.

Mr. Speaker, I am instructed to inform your honorable body, that the Legislative Council has appointed Messrs. Wolf, Smith and Judkins a Committee of conference on the "act to exempt Ministers of the Gospel from serving as Grand or Petit Jurors," to act with the Committee of the House of Representatives.

The Bill [redacted] counsel to be entitled an act to erect and establish the County of Johnson was read the first time. And Mr. Martin moved to dispense with the rules of the House and read the Bill a second time which was agreed to, and the Bill was read a second time, and on his motion of said was committed to the Committee of the Whole and made the order of the day to-morrow.

Mr. Martin from the Select Committee on the bill to be entitled an act concerning the non attendance of Witnesses [redacted] they have been subpoenaed to attend any civil trial made the following report this bill back to the house with an amendment, which was agreed to — and on Motion of Mr. Ruthenford it was committed to the Committee of the whole House and made the order of the Day to-morrow.

Mr. Ruthenford moved that the Committee to whom was referred the letter and papers of E.A. Moore be discharged from the further consideration of the same — which was agreed to —

On Motion of Mr. Ruthenford the documents accompanying the Governors despatch, were taken up and read.

On Motion of Mr. Ruthenford the following Resolution was adopted,

Resolved that clerk of the house of Representatives have printed one thousand Copies of the Governors despatch and the accompanying documents relative to the Texas Expedition and the Academy of the State Census for the use of the Members of the House

The following Message was ~~sent~~ received from the Legislative Council by Mr. Black.

Mr. Speaker

I am instructed to inform your Honorable body that the Bill from the House of Representatives intitled "An act for the Relief of the Illegitimate Children of Christian Brumback" Last passed the Legislative Council with sundry amendments, and is herewith transmitted for your Concurrence.

The following Message was received from the Legislative Council by Mr. Moore.

Mr. Speaker,

I am instructed to inform your honorable body that the following Bill from the House of Representatives Last passed the Legislative Council with an amendment to wit, An act to regulate the Militia of the County of Van Buren and apportion the public debt of the Counties of Conway and Van Buren and for other purposes" and is herewith for your Concurrence, Also an act concerning the summoning of Witnesses with amendments Shich is also herewith for concurrence.

On Motion of Mr. Black the Bill intitled an act for the relief of the illegitimate children of Christian Brumbacke, returned from the Legislative Council with amendments was laid on the table until to-morrow

Mr. Rutherford who voted in the majority for the reconsideration of the Resolution from the Legislative Council Requesting Register of Land Office to furnish the House of this Legislature an abstract of lands entered &c moved to reconsider his vote which was agreed to.

once on his motion was
adopted, and the Resolution
[illegible] to-morrow.

The Bill from the
entitled an act to
taken up in the House
as might obtain persons
was taken up and read
rule of the House being
Bill was read the
passed the House

The Bill entitled
Protection of Mechanics and
the Legislative Council was
read the 3d time, and on Motion
Alexander the rule of the House
with and the Bill read the
time, and passed the House.

Mr. Mathis from the
of Conference on the bill
act supplementary to the
in part concerning
and. and the bill entitled
mentary to an act
Counties, made a report,
of Mr. Clark was laid on the
to-morrow.

On Motion the House